IMT Nuremberg Archives

H – 28

International Court of Justice

H0028 -0002

Official transcript of the International Military Tribunal, in the matter of: The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nurnberg, Germany, on 3 January 1946, 1000-1245, Lord Justice Lawrence, presiding.

LT. HARRIS: If the Tribunal will recall, at the end of the last session, we had finished reading a portion of the sworn interrogation of the Gaustabsamtsleiter under the Gauleiter of Munich, and had touched on the point where he said that Kaltenbrunner issued directives to Dachau to transport Western European prisoners by truck to Switzerland and to march the remaining inmates into Tyrol.

I now offer as exhibit next in order the first five pages of the interrogation report of Gottlieb Berger, Chief of the Head Office of the SS, made under oath on 20 September 1945 in the course of these proceedings. You will find these pages at the end of the document book. This is offered as Exhibit U.S.A. 529. These pages have been translated into German and made available to the Defendant.

THE PRESIDENT: Does it have a number?

LT. HARRIS: It has no PS number sir. It is at the very end of the document book. I wish to read only one question and answer from these pages, and I refer to the last question and answer on page 3 of the exhibit:

"Q Assuming, only for the purposes of this discussion, that these atrocities that we hear about are true, who do you think is primarily responsible?

"A The first one, the Commandant; the second one Gluecks, because he was practically responsible for all the interior direction of the camps. If one wants to be exact, one would have to find out how the information service between the camp commandant and Gluecks actually operated. I want to give you the following example: during the night of the 22nd and 23rd of April, I was sent to Munich. As I entered the city, I met a group of perhaps 120 men dressed in the suits of the concentration camps. I asked the guard who was with them: 'What about these men.' He told me

H0028 - 0003

that these men were marching by foot to the Alps. Firstly, I sent him back to Dachau. Then I wrote a letter to the Commandant, to send no more people by foot to any place, but whenever the Allies advanced further, to give over the camp completely. I did that on my own responsibility, and I told him that I came straight from Berlin, and that I can be found in my service post in Munich. The Commandant, or his deputy, telephoned at about twelve o'clock and told me that he had received this order from Kaltenbrunner after he had been asked by the Gauleiter of Munich, the Reichskommissar."

The tenth crime for which Kaltenbrunner is responsible as Chief of the Security Police and SD is the persecution of the Jews. This crime, of course, continued after 30 January 1943 -- and evidence has heretofore been received that these persecutions continued until and were accelerated toward the end of the war. Kaltenbrunner took a personal interest in such matters as is indicated by Document 2519-PS which is offered as exhibit next in order, U.S. Exhibit 530. This exhibit consists of a memorandum and an affidavit, and I invite the attention of the Tribunal to the affidavit. Quoting from the affidavit:

"I, Henri Monneray, being first duly sworn, depose and say that since 12 September 1945 I have been, and I am the member of the French Staff for the prosecution of axis criminality, and have been pursuing my official duties in this connection in Nurnberg, Germany since 12 October 1945.

"In the course of my official duties, at the instruction of the French Chief Prosecutor, I examined the personal document of the Defendant --"

THE PRESIDENT: Is it necessary to read all of this? What is the object of this affidavit?

LT. HARRIS: To show that this document was derived from the personal effects of the Defendant Kaltenbrunner.

THE PRESIDENT: From the personal possessions?

LT. HARRIS: From the personal possessions, yes.

THE PRESIDENT: You can leave out the immaterial parts.

H0028 - 0004

LT. HARRIS: Very good, sir.

Passing to the last sentence of the affidavit:

"Said Document 2519-PS is the document which I found in the envelope containing Kaltenbrunner's personal papers."

I now read the memorandum, quoting:

"Radio message to Gruppenfuehrer SS-Major General Fegelein Headquarters of the Fuehrer through Sturmbannfuehrer SS-Major Sansoni, Berlin.

"Please inform the Reichsfuehrer SS and report to the Fuehrer that all arrangements against Jews, political and concentration camp internees in the Protectorate have been taken care of by me personally today. The situation there is one of calmness, fear of Soviet successes and hope of an occupation by the Western enemies.

Kaltenbrunner"

THE TRIBUNAL: (Mr. Biddle): That is not dated?

LT. HARRIS: This is not dated.

The eleventh crime for which Kaltenbrunner is responsible is the persecution of the churches. It is unnecessary to present specific evidence that this crime continued after 30 January 1943, since this was one of the fundamental purposes of the Security Police and SD, as has already been shown.

These are the crimes for which the Defendant Kaltenbrunner must answer. As to his intent, there is no need to go outside the record before this Tribunal. On December 1, 1945, in these proceedings, the witness Lahousen was asked on cross-examination: "Do you know Mr. - Kaltenbrunner?"

After describing his meeting with Kaltenbrunner on a day in Munich when a university student and his sister were arrested and executed for distributing leaflets from the auditorium, Lahousen said -- and I wish to refer only to two sentences on page 724 of the transcript -- quoting:

"I can easily reconstruct that day. It was the first and last time I saw Kaltenbrunner, whose name has been known to me. Of course, Kaltenbrunner mentioned this subject to Canaris, and witnesses were there and everybody was under the terrible impression of what had happened, and

H0028 - 0005

Kaltenbrunner spoke about that to Canaris in a manner of which cynicism w would be a very mild description. This is the only thing I can say to this question."

Kaltenbrunner was a life-long fanatical Nazi. He was the leader of the SS in Austria prior to the Anschluss and played a principal role in the betrayal of his native country to the Nazi conspirators. As higher SS and police leader in Austria after the Anschluss, he supervised and had knowledge of the activities of the Gestapo and the SD in Austria. The Mauthausen concentration camp was established in his jurisdiction and he visited it several times. On at least one occasion he observed the gas chamber in action. With this knowledge and background he accepted in January 1943, appointment as Chief of the Security Police and SD, the very agencies which sent such victims to their deaths. He held that office to the end, rising to great prominence in the SS and the German Police and receiving high honors from Hitler. Like other

H0028 - 0006

leading Nazis, Kaltenbrunner sought power; to gain it, he made his covenant with crime.

COL. STOREY: If the Tribunal please, next will be some witnesses, and Col. Amen will handle the interrogation.

COL. JOHN H. AMEN: May it please the Tribunal, I wish to call, as a witness for the prosecution, Mr. Otto Ohlendorf. Your Lordship will note that his name appears under Amt III on the chart on the wall.

THE PRESIDENT: What did you say appeared?

COL. AMEN: The name of this witness appears under Amt III of the chart, RSHA, the large square, the third section down.

THE PRESIDENT: I see it.

Otto Ohlendorf, will you repeat this oath after me: I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

THE WITNESS OHLENDORF: I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

BY COL. AMEN:

Q Where were you born?

A In Hohen Egelsen.

Q How old are you?

A Thirty-eight years old.

Q When, if ever, did you become a member of the National-Socialist Party?

A 1925.

Q When, if ever, did you become a member of the SA?

A For the first time in 1926.

Q When, if ever, did you become a member of the SS?

A I must correct myself. I answered the first question as if I were speaking of my membership in the SS.

Q When did you become a member of the SA?

A In the year 1925.

Q When, if ever, did you join the SD?

A In 1936.

Q What was your last position in the SD?

H0028-0007

A Amt Chief of Amt III in the RSHA.

Q Turning to the chart on the wall behind your back, will you tell the Tribunal whether you can identify that chart in any way.

A This chart was seen previously by me and worked on by me and can consequently be identified by myself.

Q What, if anything, did you have to do with making up that chart?

A This chart was made during my interrogation.

COL. AMEN: For the information of the Tribunal, that is U.S.A. Exhibit 493, the chart of which the witness speaks.

Q Will you tell the Tribunal whether that chart correctly portrays the basic organization of the RSHA, as well as the position of Kaltenbrunner, the Gestapo, and the SD in the German Police system?

A The organization, as represented in that chart, is a correct representation of the organization of the RSHA. It serves correctly the position of the SA as well as the State Police, the Criminal Police, and the SD.

Q Referring once more to the chart, please indicate your position in the RSHA and state for what period you continued to serve in that capacity.

A (At this point the witness pointed to Amt III on the chart.)

Q What were the positions of Kaltenbrunner, Mueller, and Eichmann in the RSHA, and state for what periods of time each of them continued to serve in his respective capacity?

A Kaltenbrunner was Chief of the Sicherheits Polizei and the SD; as such, he was also Chief of the RSHA, The Internal Organizational Term for the SD and The Sicherheits Polizei. Kaltenbrunner occupied this position from 30 January 1943 until the end of the war. Mueller was Chief of Amt IV, the Gestapo. He took part in the foundation of the Gestapo and occupied the Office of Chief and subsequently, and consecutively, rose to the chiefdom of Amt IV. He occupied this position until the end of the war.

Eichmann occupied a position in Amt IV under Mueller and worked on the Jewish problem from 1940 on. To my knowledge, he occupied this position also until the conclusion of the war.

Q Will you tell us for what period of time you continued to serve as Chief of Amt III?

H0028 - 0008

A I was Chief of Amt III from 1939 to 1943.

Q Turning now to the designation "Mobile Units" shown in the lower right hand corner of the chart, please explain to the Tribunal the significance of the terms "Einsatzgruppen" and "Einsatzkommandos".

A The concept "Einsatzgruppe" was promulgated after a meeting between the Chiefs of the OKW and the OKH, and they served the purpose of allowing the SIPO to have its own organizational units in the field. The concept "Einsatzgruppe" first appeared during the Polish campaign.

The agreement with the OKH and OKW, however, was first arrived at before the biginning of the Russian campaign. This agreement specified that the Army groups, or the armies, should have an official of the SIPO or the SD, that this official should have under his disposal all mobile units in the form of Einsatzgruppe, subdivided into Einsatzkommandos. The Einsatzkommandos should, on orders from the army group, or the army, be at the disposal of the army units as needed.

H0028-0009

Q State, if you know, whether prior to the campaign against Soviet Russia, any agreement was entered into between the OKW, OKH and RSHA?

A Yes, the Einsatzgruppe, just described by me, and Einsatzkommandos were used in the Russian campaign, according to a written agreement between the OKW, OKH and RSHA.

Q Do you know that there was such a written agreement?

A I was repeatedly present during the discussions which I and Schellenberg had with the OKH and OKW, and also I had a written copy of this agreement in my own hand.

Q Explain to the Tribunal who Schellenberg was; what position, if any, did he occupy?

A Schellenberg was the Chief of Amt VI in the RSHA at the time that he was conducting his conferences on Heydrich's Commission.

Q On approximately what date did these negotiations take place?

A The discussions took several weeks. The agreement must have been reached about one or two weeks before the beginning of the Russian War.

Q Did you yourself ever see a copy of this written agreement?

A Yes.

Q Did you have occasion to work with this written agreement?

A Yes

Q On more than one occasion?

A Yes; and that is in all questions that had to do with the use of Einsatzkommandos in the Army.

Q Do you know where the original or any copy of that agreement is located today?

A No, I don't.

Q To the best of your knowledge and recollection, please explain to the Tribunal the entire substance of this written agreement.

A First of all, the agreement arranged for the fact that Einsatzkommandos should be set up and used. Until that time, the Army had done the job that the SIPO should have done itself; so it used to be that Einsatzkommandos were a necessity.

H0028-0010

THE PRESIDENT: What did you say the Einsatzkommandos did under the agreement?

A (continuing) The second was the relationship between the Army, the Einsatzgruppe and the Kommandos. The agreement specified that the Army Groups or Army should take care of the Einsatzgruppen, so far as transportation and housing were concerned. Further instructions came from the Chief of the SIPO and SD.

Q Let us understand. Is it correct that an Einsatz Group was to be attached to each Army Group or Army?

A Every Army Group should have an Einsatz Group attached to it. The Einsatzkommandos, in turn, were subordinate to the Einsatzgruppen.

Q And was the Army Command to determine the area in which the Einsatz Group was to operate?

A The operational region of the Einsatzgruppe was determined by the fact that the Einsatzgruppe was attached to a specific Army Group and marched with it, whereas the Einsatskommandos functioned in territories as determined by the Army Groups or Armies.

Q Did the agreement also provide that the Army Command was to direct the time during which they were to operate?

A That is included in the concept "March."

Q And also to direct any additional tasks they were to perform?

A Yes. So far as the actual instructions of the Chiefs of the SIPO and SD were concerned, they were guided by the general proposition that they could issue orders when the operative situation made it necessary.

Q What did this agreement provide with respect to the attachment of the Einsatz Group Command to the Army Command?

A I can't remember whether anything specific was said about that. At any rate, there was a liaison leader between the Einsatzgruppe and the Army.

Q Do you recall any other provisions of this written agreement?

A I believe that I have already stated the essential content of that agreement.

Q What position did you occupy with respect to this agreement?

H0028 - 0011

A From June 1941, to the death of Heydrich in June 1942, I led Einsatzgruppe D, and was subordinate to the Chief of the SIPO and the SD with the Army.

Q When was Heydrich's death?

A Heydrich was wounded the end of May 1942, and died in June 1942.

Q How much advance notice, if any, did you have of the campaign against Soviet Russia?

A About four weeks.

Q How many Einsatz Groups were there, and who were their respective leaders?

A There were four Einsatzgruppen, Group A, B, C and D. Chief of Einsatzgruppe A was Stahlecker; Chief of Einsatzgruppe B was Nebe; Chief of Einsatzgruppe C Dr. Rausche, and later, Dr. Thomas; Chief of Einsatzgruppe D Bierkamp.

Q To which Army was Group D attached?

A Group D was not attached to any Army Group, but was immediately attached to the 11th Army.

Q Where did Group D operate?

A Group D operated in the Southern Ukraine.

Q Will you describe in more detail the nature and extent of the area in which Group D originally operated, naming the cities or territories?

A The most northern city was Czernowitz; then southward to Mogilev Podelsk; southwest to Odessa; northeast of that, Melitopol, Mariopol, Taganrog, Rostov and the Crimea.

Q What was the ultimate objective of Group D?

A Group D was in reserve and was held in readiness for the Caucasus. An Army Group was provided for this operation.

Q When did Group D commence its move into Soviet Russia?

A Group D left Duegen on 21 June, reached Rumania in 21 days. There the first Einsatzkommandos were already being demanded by the Army, and they marched to the goals already set by the Army. The entire Army Group started at the beginning of June.

H0028 - 0012

Q You are referring to the 11th Army?

A Yes.

Q In what respects, if any, were the official duties of the Einsatz Groups concerned with Jews and Communist Commissars?

A As far as the question of Jews and Communists is concerned, the

H0028 - 0013

Einsatz Groups and Kommando leaders were hourly instructed.

Q What were their instructions with respect to the Jews and the Communist functionaries?

A They were instructed that in the working field of the Einsatz Group the Jews should be liquidated, as well as the political soviet Commissars.

Q When you say "liquidated", do you mean killed?

A I mean that word "killing".

Q Prior to the opening of the Soviet Campaign, did you attend a conference at Pretz?

A Yes, it was a discussion of the field of work of the Einsatz Group and Kommandos, their work goals; and at this time the necessary commands were issued.

Q Who was present at that conference?

A The Chief of the Einsatz Groups and the leaders of the Kommandos. Streckenbach transmitted the orders of Heydrich and Himmler.

Q What were those orders?

A Those were the general orders regarding the work of the SIPO, which contributed to the liquidation that I have already mentioned.

Q And that conference took place on approximately what date?

A Three or four days before our march into Russia.

Q So that before you commenced to march into Soviet Russia, you received orders at this conference to exterminate the Jews and Communist functionaries, in addition to the regular professional work of the Security Police and SD; is that correct?

A That's right.

Q Did you, personally, have any conversation with Himmler, respecting any communication from Himmler to the Chiefs of Army Groups and Armies, concerning this mission?

A Yes. Himmler informed me before the beginning of the Russian Campaign that Hitler, in a conversation with the High Command, had stated his aim and had commanded them to act accordingly.

Q So that you can testify that the Chiefs of the Army Groups and Armies had been similarly informed of these orders for the liquidation of the Jews

H0028 - 0014

and Soviet functionaries?

A I believe that it is not correct in that particular form. They had no orders for liquidation. Rather, the order for the liquidation originated with Himmler, but since this liquidation took place in the operational region of the High Command of the Army, the Army was asked to support these measures. Without these instructions to the Army, the Einsatz Groups would not have been able to function in the sense that I have just described.

Q Did you have any other conversation with Himmler concerning this order?

A Yes, in the late Summer of 1941, Himmler was in Nikolaiev. He assembled the leaders of the Einsatz Groups and Kommandos, and repeated to them the order for liquidation, so that the leaders and men who took part in such liquidation had no personal responsibility for their acts. The responsibility was his alone, as well as that of the Fuehrer.

Q And you yourself heard that said?

A Yes.

Q Do you know whether this mission of the Einsatz Group was known to the Army Group Commanders?

A This order and the execution of it were known to the Army leaders.

Q How do you know that?

A Through conferences with the Army and continual discussions of these orders with Army leaders.

Q Was the mission of the Einsatz Groups and the agreement between OKW, OKH and RSHA known to the other leaders in the RSHA?

A At least a part of them knew, since a part of the leaders were also active in the Einsatz Groups and Kommandos; furthermore, also known to the leaders who had to do with organization.

Q Most of the leaders came from the RSHA; did they not?

A Which leaders?

Q The Einsatz Group.

A No, one cannot say that. The leaders in the Einsatz Groups and Kommandos came from the entire Reich.

H0028 - 0015

Q Do you know whether the mission and the agreement were also known to Kaltenbrunner?

A After his entry into service, Kaltenbrunner had to concern himself with these questions, and consequently must have known the background of these Einsatz Groups that were under his command.

Q Who was the Commanding Officer of the 11th Army?

A At first, von Schober; later, von Mannstein.

Q Will you tell the Tribunal in what way or ways the Commanding Officers of the 11th Army directed or supervised Einsatz Group D in carrying out its liquidation activities?

A An order from the 1st Army came to Nikolaiev, stating that liquidation were to take place at a distance of not less than 200 kilometers from Army Headquarters.

Q Do you recall any other occasion?

A In Simferopol, the Army High Command asked the correct Einsatz Group leaders to hasten the liquidation on the grounds that in this region a famine was threatening, and there was a housing shortage.

Q Do you know how many persons were liquidated by Einsatz Group D, under your direction?

A In the year June '41 to June '42, the Einsatzkommandos announced approximately 90,000 people as liquidated.

Q Did that include men, women and children?

A Yes.

Q On what do you base those figures?

A On reports submitted by the Einsatzkommandos to the Einsatz Groups.

Q Were those reports submitted to you?

A Yes.

Q And you saw them and read them?

A I beg your pardon?

Q And you saw and read those reports, personally?

A Yes.

Q And it is on those reports that you base the figures you have given the Tribunal?

A Yes.

H0028 – 0016

Q Do you know how those figures compare with the number of persons liquidated by other Einsatz Groups?

A The figures known to me from other Einsatz Groups are materially larger.

H0028 - 0017

Q That was due to what factor?

A I believe that to a large extent the figures submitted by the other Einsatz Groups were exaggerated.

Q Did you see reports of liquidations from the other Einsatz Groups, from time to time?

A Yes.

Q And those reports showed liquidations exceeding those of Group D; is that correct?

A Yes.

Q Did you personally supervise mass executions of these individuals?

A I was present at the mass executions.

Q Will you explain to the Tribunal in detail how an individual mass execution was carried out?

A A local Einsatzkommando attempted to collect all the Jews in one area. The registration was abandoned.

Q On what pretext, if any, were they rounded up?

A They were rounded up on the pretext that they were to be relocated.

Q Will you continue?

A After the registration, the Jews were collected at a certain place for execution. The place of execution was usually an anti-tank ditch or a natural gully. The executions were carried out in a military fashion.

Q In what way were they transported to the place of execution?

A They were transported to the execution place in trucks and were immediately executed. In this way, the attempt was made to keep the time as short as possible in which the victims knew what was about to happen to them until the time of their actual execution.

Q Was that your idea?

A Yes.

Q And after they were shot what was done with the bodies?

A The bodies were buried in the anti-tank ditches or the gullies.

Q What determination, if any, was made as to whether the persons were actually dead?

A The unit leaders had the order to act in such cases as the victim was not entirely dead and to then administer the coup de grace.

H0028 - 0018

Q And who would do that?

A Either the unit leader himself or somebody designated by him.

Q In what positions were the victims shot?

A Standing or kneeling.

Q What was done with the personal property and clothing of the persons executed?

A All personal property of value was collected at the registration and given directly to the Reich Minister or to the RSHA. At first the clothing was distributed to the population, but in the winter of '42 it was taken by the NSV and disposed of by that organization.

Q All their personal property was registered at the time?

A Only the objects of value were registered. The other objects were not.

Q What happened to the garments which the victims were wearing when they went to the place of execution?

A They were obliged to take off their outer garments immediately before the execution.

Q All of them?

A The outer garments, yes.

Q How about the rest of the garments they were wearing?

A They were allowed to keep their underclothing.

Q Was that true of not only your group but of the other Einsatz Groups?

A That was the order in my Einsatz Group. Other Einsatz Groups handled the matter differently.

Q In what way did they handle it?

A A few of the unit leaders did not employ the military way of liquidation and killed the victims simply by shooting them in the back of the head.

Q And you objected to that procedure?

A I was against that procedure, yes.

Q For what reason?

A Because both the victims as well as those who carried out the executions suffered spiritually unnecessarily from that.

H0028 - 0019

Q Now, what was done with the property collected by the Einstaz Kommandos from these victims?

A So far as the question of objects of value they were sent to the RSHA in Berlin or the Reich Minister of Finance. As to the extent they could be used immediately on hand, they were so used.

Q For example, what happened to gold and silver taken from the victims?

A That was, as I just said, turned over to the Reich Minister of Finance in Berlin.

Q How do you know that?

A I can remember how that was actually handled in Simferopol.

Q How about watches, for example, taken from the victims?

A On the request of the Army the watches were put at their disposal.

Q Were all victims, including the men, women and children, executed in the same manner?

A Until the spring of '42, yes. Then an order came from Himmler that in the future women and children

H0028 - 0020

should only be killed in gas vans.

Q How had the women and children been killed previously?

A Precisely as the men were - by shooting.

Q What, if anything, was done about burying the victims after they had been executed?

A At first the Kommandos buried the victims completely so that the signs of the execution could not be seen, and then the population financed the burial later - the local population.

Q Referring to the gas vans which you said you received in the spring of '42, what order did you receive with respect to the use of these vans?

A These gas vans should be used in the future for the killing of women and children.

Q Will you explain to the Tribunal the construction of these vans and their appearance?

A The actual purpose of these vans could not be recognized from outside. They were disguised as trailers. They were so constructed that when the motor was running the gas was conducted to the van and brought about the death of the occupants in 10 to 15 minutes.

Q Explain in detail just how one of these vans was used for an execution.

A The vans were loaded with the victims and driven to the place of burial, which usually was the same as that used for the mass executions. The time needed for the transportation was long enough for their death.

Q How were the victims induced to enter the vans?

A They were told that they were to be transported to another locality.

Q How was the gas turned on?

A I am not familiar with the technical details.

Q How long did it take to kill the victims ordinarily?

H0028 - 0021

A About 10 to 15 minutes, and the victims suffered no pain.

Q How many persons could be killed simultaneously in one such van?

A The vans were various sizes, anywhere from 15 to 25 persons.

Q Did you receive reports from those persons operating these vans from time to time?

A I didn't understand the question.

Q Did you receive reports from those who were working on the vans?

A I received the report that the Einsatz Kommandos did not like to use the vans.

Q Why not?

A Because the burial of the occupants of it was unpleasant to the members of the Einsatz Kommandos.

Q Will you tell the Tribunal who furnished these vans to the Einsatz Groups?

A The gas vans did not belong to the motor pool of the Einsatz Group but came from a special Kommando. This Kommando was led by the man who made these vans. The vans were given to the individual groups by the RSHA.

Q Were the vans supplied to all of the different Einsatz Groups.

A I can't say about that. I only know about Einsatz Group D, and indirectly about Einsatz Group C.

Q Are you familiar with the letter from Becker to Rauf with respect to these gas vans?

A I saw this letter during my interrogation.

COLONEL AMEN: May it please the Tribunal, I am referring to Exhibit 501-PS, US Exhibit No. 288, being a letter already in evidence, a letter from Becker to Rauf.

H0028 – 0022

Q Will you tell the Tribunal who Becker was?

A As far as I recall, Becker was the builder of the vans. It was he who was in charge of the construction of the vans for Einsatz Group D.

Q Who was Rauf?

A Rauf was group leader in Amt II. He was in charge of motor vehicles at that time.

Q Can you identify that letter in any way?

A As far as I can recall the content--

(A document was handed to the witness.)

Q Will you look at the letter before you and tell

H0028 - 0023

us whether you can identify it in any way?

A I recognize the external appearance of this as well as the sign "R" on it, and the reference to the man who had to do with the motor vehicles under Rauf seems to testify to its authenticity.

Q So that you believe it to be an authentic document?

A Yes, I do.

Q Will you now lay it aside on the table there?

Referring to your previous testimony, will you explain to the Tribunal why you believe that the type of execution ordered by you, namely, military, was preferable to the shooting in the neck procedure adopted by the other Einsatz Groups?

A On one hand, it was our aim that the individual leaders and men should carry out the executions in a military fashion through orders and would have to make no decision of their own. That is, their instructions should be strictly from without. On the other hand, it was known to me that in the case of individual executions emotional disturbances could not be avoided since the victims discovered that they were to be executed too soon and thereby were subjected to a prolonged nervous disturbance. Moreover, it seemed intolerable to me that the individual leaders and men were forced in this way to form their own decisions and on these decisions take the responsibility for the killing of a large number of people.

Q In what manner did you determine which were the Jews to be executed?

A It was not up to me, but the identification of the Jews was done by the Jews themselves. The registration was carried out by a Jewish council of elders.

Q Did the amount of Jewish blood have anything to do with it?

A I can't remember details, but I believe that in this case half Jews were also included in the concept of Jews.

Q What organizations furnished most of the officer personnel of the Einsatz Groups and Einsatz Kommandos?

A I didn't understand the question.

H0028 - 0024

Q What organizations furnished most of the officer personnel of the Einsatz Groups?

A The leadership personnel was furnished by the Gestapo and to a lesser extent by the SD.

Q Kripo?

A Yes, also the Kripo. Gestapo, Kripo, and to a lesser extent the SD.

Q Were there any other sources of personnel?

A Yes; the bread masses of the men employed were furnished by the SS. The Gestapo and the Kripo furnished the technicians, and the troops were furnished by the SS.

Q How about the Waffen SS?

A The Waffen SS was supposed to provide one company just as also was the SS.

Q How about the Order Police?

A The Order Police also furnished a company.

Q What was the size of Einsatz Group D and its operating area as compared with the other Einsatz Groups?

A Einsatz Group D was about two-thirds as large or about half as large as the other Einsatz Groups. That changed in the course of time. Individual Einsatz Groups were in the course of time greatly enlarged.

COLONEL AMEN: May it please the Tribunal, I have other questions relating to organizational matters which I think would clarify some of the evidence which has already been in part received by the Tribunal, but I don't want to take the time of the Tribunal unless they feel that they want any more such testimony. I thought perhaps if any members of the Tribunal had questions they could ask this witness directly, because he is the best informed on these organizational matters of anyone that will be presented in Court.

THE PRESIDENT: We will adjourn now for ten minutes.

(A recess was taken from 1120 to 1130 hours.)

H0028 - 0025

THE PRESIDENT: Colonel Amen, the Tribunal does not think that it is necessary to go further into the organizational questions at this stage, but it is a matter which must be really decided by you because you know what the nature of the evidence which you are considering is.

Did you not hear what I said?

So far as the Tribunal is concerned, they are satisfied at the present stage to leave the matter where it is. But there is one aspect of the witness' evidence which the Tribunal would like you to investigate, and that is whether the practices to which he has been speaking continued after 1942, and for how long.

BY COLONEL AMEN:

Q Can you state whether the liquidation practices which you have described continued after 1942, and if so, for how long a period of time thereafter?

A I do not know. So far as I know, the basic order was not cancelled. But I can remember individual cases in which it would be possible to make concrete testimony on that subject, at least as regards Russia, for very shortly thereafter the retreat began so that the operational region of the Einsatz groups varied.

HO028 – 0026

I do know that further Einsatz groups, with corresponding orders, were put into action in other regions.

Q Your personal knowledge extends up to what date?.

A The question did not come through to me.

Q Your personal knowledge of these activities extends up to what date?

A I still haven't got the question.

THE PRESIDENT: Will you repeat the question.

Q Your personal knowledge of these activities extends up to what date?

THE PRESIDENT: There must be some technical defect.

THE WITNESS: I can hear now.

THE PRESIDENT: Can you hear now?

THE WITNESS: Yes, I can.

BY COLONEL AMEN:

Q The question was, your personal knowledge of these liquidation activities goes up to what date?

A So far as the liquidation of Jews is concerned, I know that appropriate withdrawals of the order were made about six months before the conclusion of the war. Furthermore, I saw a document according to which the liquidation of Soviet Commissars was to be terminated. I cannot recall a specific date.

Q Do you know whether in fact it was so terminated?

A I believe yes.

BY THE PRESIDENT:

Q The Tribunal would like to know the number of men in your Einsatz group.

A There were about 500 people in my Einsatz group, besides those who were added to the group from the country itself.

Q Including them, did you say?

A Excluding those who were brought into the group from the land itself.

Q Do you know how many there would be in other groups?

A I should estimate that at the beginning, seven to eight hundred men; but, as I said before, this number changed rapidly in the course of time, for this reason, that individual chiefs of groups asked for additional personnel and got it.

H0028-0027

Q The numbers increased, did they?

A Yes, the numbers increased.

THE PRESIDENT: All right.

COLONEL AMEN: Now, there are perhaps just a half dozen of these questions I would like to ask, because I do think they might clear up, in the minds of the Tribunal, some of the evidence which has gone before. I shall be very brief, if that is satisfactory to the Tribunal.

THE PRESIDENT: Yes.

BY COLONEL AMEN:

Q Will you explain the significance of the different widths of the blue lines on the chart?

A The thick blue line between Himmler as Chief of the SS, and the RSHA, is designed to show the intensity of the relationship between those two offices. Here it is a question of an office in which ministerial questions of leadership as well as individual executive matters were taken up. That is to say, in the circle of operations of the SIPO and the SD. The organizational scheme, seen from the legal point of view, represents an illegal state of affairs, namely, that the RSHA never actually had official validity.

The formal, legal situation is different from that which appears in this chart. Party and state offices are amalgamated in this chart. Under this designation neither laws nor decrees were a legal basis. None of these came from this organization. That is due to the fact that the State Police, in their ministerial capacity, were subordinate to the Ministry of the Interior, whereas the SD, despite this organization, was an organ of the Party.

Therefore, if I wished to reproduce this chart as it legally should be, I should have to set, in place of Amt IV, the Amt Political Police of the previous Hauptamt Sicherheitspolizei. This office, political police, existed formally to the very end, and it had been preceded by the Police Department of the Ministry of the Interior. At the same time, the Gestapo Amt continued to exist formally, the Central Office of the Prussian Gestapo, the leading office of all the police activities of the country.

Thus, the administrative questions were developed under the leadership of the Minister of the Interior.

H0028 – 0028

So far as the emphasis on the formal existence of relevance of the Ministry of the Interior was concerned, it appeared under the heading of the Ministry of the Interior with the heading "Pol", with the corresponding designations of the relevant offices of the previous main office of the Reichssicherheitspolizei. That is to say, "Pol-S" means Sicherheitspolizei.

The RSHA was nothing more than a camouflage designation which did not affect the actual conditions, but the Chiefs of the SD and the SIPO were included under this term "RSHA". And the SD main office, which existed until 1939, was given the opportunity of using whatever letterhead it wanted to, either the one or the other.

H0028 – 0029

At the same time, an opportunity was afforded to amalgamate all the forces of the police and to operate in whatever field it was expedient to operate in. But in this office state positions did remain, in a way, dependent on the Ministry of the Interior, and the office of the SD remained a Party Office.

The SD Main Office, or the RSHA, had formally only the significance of an SS Main Office, a main office in which the members of the SS and the SIPO and the SD belonged to the SS. But so far as the State Offices were concerned, the SS--that is to say, Himmler, as leader of the SS-gave these offices no instructions.

BY THE PRESIDENT:

Q I am not sure that I follow altogether what you have been saying, but what you have been saying the reason why you are shown on the chart as concerned with Amt III, which refers, apparently, only to inside Germany, where, according to your evidence, you were the head of Einsatz Group D, which was operating outside Germany?

A The fact that I led an Einsatz group had nothing to do with the fact that I was also Chief of Amt III. That was given me as an individual, and not as a leader of Amt III. In my capacity as leader of an Einsatz group I ran into altogether new experiences.

Q I see. And did it involve that you left Germany and went into the area invaded in the Soviet Union?

A Yes.

BY COLONEL AMEN:

Q Will you now explain the significance of the dotted blue lines, as compared with the solid blue lines on the right-hand side of the chart?

A The solid line indicates a direct official channel, whereas the dotted lines signify that in these regards there was no direct, immediate chain of command.

Q Was the term "SD" ever used to include both the SIPO and the SD?

A In the course of years the term "SD" was used incorrectly. It cam to be used as an abbreviation for SIPO and SD, without actually being designed for that. "SD" was originally simply a designation for the fact that someone belonged to the SS via the SD Hapt Main Office. When

H0028-0030

the SD Main Office dissolved and was taken up in the RSHA, the question arose that the designation SD, which was also worn on arm bands, should be replaced by another designation, namely, RSHA. Things did not reach that point because that work on camouflage, of the RSHA, would have been in danger. When, for example, I read in a Fuehrer order that in France people were to be turned over to the SD, that was a case in point of such a false designation, since there were no such offices in France; and, on the other hand, the SD, so far as its offices were concerned-- for instance, Amt III-- was simply an intelligence organ.

Q Briefly, what was the relationship between the SS and the Gestapo?

A The relationship between the SS and Gestapo were these:

"The Reichsfuehrer SS, as such, took over the leadership of the police and attempted to amalgamate the State Police and the SS, that is to say, on the one hand to employ only members of the State Police, who were active in the SS and, on the other hand, to extend the instutions of the SS, and in this way to provide possible candidates for the State Police. This amalgamation was later extended to bring about the same relationship between the SS and the Ministry of the Interior.

Q About how many full time agents and honorary auxilliary personnel did the SD employ?

A One may not use the concept SD in this connection. It is necessary to discriminate between Amt III and Amt VI. Amt III, as the interior intelligence organ, had three thousand main officers, including men and women. On the other hand, the internal intelligence service worked with honorary personnel, that is to say with men and women who could divide the internal intelligence services with their experiences in their service. I would judge that the number of them was roughly one thousand.

Q Will you briefly give the Tribunal a general example of how a typical transaction was handled through the channels indicated on the chart?

A First, a general example in order to make things clear. Himmler discovered through experience that more and more saboteurs were being dropped from planes in Germany and were endangering transportation and factories. He told this to Kaltenbrunner and instructed him to make his

H0028 - 0031

subdivisions aware of this fact and to take measures to see to it that these saboteurs should be eliminated as soon and as completely as possible.

H0028 - 0032

Kaltenbrunner instructed Amt IV, that is to say the State Police, with the preparation of the necessary order to the regional offices. This order was drawn up by the appropriate office in Amt IV and was transmitted by Mueller, or what is more probable, because of the importance of the question and the necessity of bringing the attention of the other offices to this fact, gave the order to Kaltenbrunner, who signed it and passed it on to the regional offices in the Reich.

On the basis of this order, for example, it was determined that the State Police offices should report on the measures they were taking, as well as on their effects. These reports went back through the same channels from the regional offices to the experts in Amt IV, thence to the Chief of Amt IV, thence to the Chief of the RSHA Kaltenbrunner, and thence to the Chief of the German Police Himmler.

Q And finally, will you give a specific example of a typical transaction handled through the channels indicated on the chart?

A The example of the arrest of the leaders of the left parties after the events of the 20th of July. This order was also transmitted from Himmler to Kaltenbrunner. Kaltenbrunner passed it on to Amt IV and this order was formulated by Amt IV, signed by Kaltenbrunner and sent to the regional offices. The reports were returned from the subordinate offices back to the higher offices along the same channels.

COLONEL AMEN: May it please the Tribunal. The witness is now available to other Counsel. I understand that Colonel Pokrovsky has some questions that he wishes to ask on behalf of the Soviets.

DIRECT EXAMINATION BY COLONEL POKROVSKY.

Q Witness, there is a very important matter for clarification of questions or of a report on which the Soviet Delegation is at present working. Therefore, at the pleasure of the Court, I would like to ask you, witness, several questions.

H0028 - 0033

You said that you had been present as an inspector twice at the mass executions. On whose orders have you been as an inspector at the executions?

THE PRESIDENT: I did not get the answer to that question. The answer has not come through here.

A I was at the executions on my own initiative.

Q But you said that you were present in the capacity of an inspector.

A I said for inspections.

Q Was it on your initiative?

A Yes.

Q At the executions was one of the chiefs always present?

A Whenever it was possible I sent one of the members of the staff of the Einsatz groups to the executions, but because of the large distance covered by the Einsatz groups that was not always possible.

Q For what purpose was a person sent in the capacity of an inspector? For what reason was a person sent for inspection purposes?

A To determine whether or not my instructions, regarding how the executions were to take place, were actually being carried out.

Q Shall I understand you in such a way that the person acting as an inspector should make certain as to the execution of the order?

A No, that is not a correct statement of fact. He should simply be a witness as to whether the conditions that I determined as those under which the executions should take place were actually being carried out.

Q What kind of conditions have you in mind?

A First of all the exclusion of spectators. Secondly, the carrying out of the executions in a military way. Thirdly, an easy carrying out of the transportation and execution in order to avoid

H0028 - 0034

unnecessary emotional disturbances. Fourthly, the supervision of the handling of objects of value to avoid any exploitation. Of course, there were individual events during these matters that I do not recall now. At any rate, these measures were designed to avoid any mistreatment, either physical or spiritual.

Q When you stated with reference to the observation of the disposal of the property, have you had in mind the necessity of taking away those valuables?

A Objects of value were taken away from the victims before the execution, namely by the Jewish Council of Elders, and were turned over to the Einsatz group.

Q What kind of property have you in mind?

A For example, gold or silver or papers of value.

Q You wanted to set out the proper direction of that property, or a most complete acquisition of those valuables?

A Yes.

Q You mentioned ill-treatment. What have you meant under ill-treatment at the executions?

A If, for example, the manner of the execution was such that it could not be avoided that people became excited the Kommandos, who had to take part in the execution, had to resort to violence.

Q What do you understand under the forced suppression of emotional excitement?

A If, as I just said, the carrying out of the execution in an orderly fashion it was necessary to resort to blows.

Q Was it necessary to beat the victims?

H0028-0035

A. I never saw such case but I heard of such cases.

Q. From whom?

A. In conversations with members of other Kommandos.

Q. You said that for the executions other means were presented, that is the autocars.

A. Yes.

Q. Do you know where and with whose assistance the inventor has carried out his invention?

A. I can recall only that it was within the purview of Amt II of the RSHA but I cannot say anything more about that more specifically.

Q. How many people were executed by means of those murder cars?

A. I didn't understand the question.

Q. How many people were executed by means of such myrder cars?

A. I can't give you the precise number but it was relatively few. I should judge a few hundred.

Q. You said that in these vans mostly women and children were executed. For what reason?

A. That was a specific command of Himmler's. In this way women and children should be spared the spiritual disturbances implicit in the mass executions and also the men who were, to a large extent, married should not be obliged to shoot down women and children.

Q. Has anybody observed the behavior of those who were executed in those murder cars?

A. Yes.

Q. Do you know that Becker had reported to the effect that the death in these murder cars was particularly painful?

A. No. I heard about Becker's report for the first time in the letter that was shown to me here in Court. On the contrary, I know from other reports that the victims did not suffer on the instance of death.

Q. Have military units taken part in those executions?

A. As a rule, no.

H0028-0036

Q. And as an exception?

A. I believe I recall that both in Nikolaew and Simferopol temporarily a witness from the Army was present.

Q. For what reason, for what purpose?

A. I cannot say that, probably simply to inform himself personally.

Q. And military units were assigned in most places for the carrying out of executions?

A. The Army had officially no department that dealt with these matters particularly, since the Army was in itself against these liquidations.

Q. But, as a matter of fact --

A. Even there voluntary divisions did these things. At the moment I can remember no case from the Army itself but simply from the train following the Army.

Q. You testified regarding those who were subject to annihilation. The Einsatz group, were they executing only Jews or were also Communist officials executed?

A. Yes, political commissars, those who were politically active. The fact of belonging to the Communist Party was not enough to expose anyone to persecution.

Q. There was no special investigation as to the specific part which such a person played in the Communist organization?

THE PRESIDENT: Will the interpreter from Russian into English hold the microphone a little further away from his mouth.

Q. (continuing) I understood that the fact of belonging to the Communist Party was sufficient for him to be executed.

A. No, I said the opposite. I said the fact of belonging to the Communist Party was not the definitive consideration and that was not enough to have him executed. He would have had to have been performing a particular political function.

Q. Have you had any discussion with reference to those murder wagons which were sent from Berlin?

A. I didn't understand the question.

H0028 – 0037

Q. Have you had an opportunity to discuss with any one of your superiors the question of the murder wagons which were sent to your unit or as to the work of those machines?

A. I still cannot understand the sense of the question.

Q. Have you had an opportunity to discuss with any one of your superiors with regard to the Einsatz group that had received the murder wagons from Berlin, as to their performance?

A. I cannot recall any specific discussion of that.

Q. Have you had any information with regard to the fact that members of the Einsatz groups, who had been acting as executioners, did not like to use those murder wagons?

A. The Einsatz group made use of the gas vans.

Q. No, I have something else in mind. I want to clarify the question as to whether you received any information that the members of the SD, the troops, did not like that form of execution and preferred others instead?

A. They preferred to use the gas vans to shooting?

Q. Just the other way, that they preferred shootings to the execution in the murder wagons.

A. Yes. I said that before.

Q. For what reasons did they prefer shootings and executions by firing squads to the use of murder wagons?

A. As I said before, the unloading of the vans subjected the men in th Einsatz Kommandos to unnecessary spiritual disturbance.

Q. What do you have in mind under the circumstances, from the psychological point of view?

A. As far as I can remember the specific psychological circumstances, certainly bodily functions were released which made the handling of the corpses unpleasant.

Q. Do you want to say that the victims very clearly showed the sufferings which they had been submitted to?

A. Do you mean during the killing in gas vans?

Q. Yes.

H0028 — 0038

A In this regard I can simply repeat what the doctor told me, that the victims of killing in the gas vans felt no pain.

Q Then it can be understood that your answer to my previous question was that the unloading of those murder wagons had a very bad impression on the members of the Kommandos?

A Yes, as I said before, because of the condition in which the vans were dirtied and so on.

COLONEL POKROVSKY: At the present stage of the trial I have no more questions for this witness.

THE PRESIDENT: Does the prosecutor for the French Republic desire to put any questions to the witness?

Does the counsel for Kaltenbrunner desire to cross-examine now or at a later date?

DR. KAUFMANN (Counsel for Defendant Kaltenbrunner): Perhaps I could ask a few questions now with the request that I should be allowed to make my cross examination later after I have already spoken to Kaltenbrunner.

THE WITNESS: May I address a request to the Tribunal? May I sit down?

THE PRESIDENT: Yes.

THE WITNESS: I saw Kaltenbrunner for the first time on a trip from Berlin to the headquarters of Himmler at the time when Kaltenbrunner was to be appointed Chief of the RSHA and SD. Previous to that I simply knew the fact of his existence.

BY DR. KAUFMANN:

Q Did you come into personal contact with Kaltenbrunner either personally, or official conversations after he had become Chief of the RSHA?

A Yes, of course.

Q Do you know his attitude, as an example, toward the Jewish question?

A I am not familiar with any particular attitude of Kaltenbrunner's.

Q How about the question of the Church?

A The question of the Church — he deployed the course taken by

H0028-0039

the State. He agreed, or he was of the opinion that an understanding should be reached with the Church.

Q Do you know what his thoughts were on the question of the liquidation of civilians, parachute troops, and so on?

Do you know that Kaltenbrunner made efforts to make use of the SD to --

A That was the duty of the SD even before Kaltenbrunner came, and he supported the direction that this work was taking.

Q Do you know, either directly or indirectly that Kaltenbrunner had no authority to carry out executive orders, for example, that he had no authority to put people into concentration camps or to take them from concentration camps, that these things were handled exclusively by Himmler and Mueller?

A I believe this question is too general for me to be able to answer it concretely. The question will have to be broken down.

If you ask the question whether Kaltenbrunner could bring about executive action, I must answer in the affirmative. If you then name Himmler and Mueller to the exclusion of Kaltenbrunner, then I must point out that according to the organization of the RSHA Mueller was a subordinate of Kaltenbrunner, and consquently orders from Himmler to Mueller were also orders to Kaltenbrunner and Mueller was obliged to inform Kaltenbrunner of them.

On the other hand, it is certain -- and specifically as regards the concentration camps -- the firal decision as regards entry into or departure from was essentially determined by Himmler. I can say that I know absolutely that the expression that often came up, namely, "to the last washerwoman" -- Himmler had the final decision. Whether or not Kaltenbrunner had no authority at all in this regard, I can make no statement.

Q Have you seen original orders of Kaltenbrunner's that ordered the liquidation of sabotage groups and so on?

A No.

Q Do you know, either directly or indirectly, that after Heydrich's death a change, which to be sure was not a formal change, but nevertheless

H0028-0040

a change, took place, as a result of which a milder course was taken by Kaltenbrunner?

A I couldn't answer that question specifically.

Q I withdraw that question. Here is another question.

Did Kaltenbrunner know that you were an Einsatz Leader in the East?

A Yes.

Q Who gave you this order?

A Heydrich gave it to me.

Q That was before the time?

A Certainly.

DR. KAUFMANN: I have no further questions at this time.

BY THE TRIBUNAL (GENERAL NIKITCHENKO):

Q Witness Ohlendorf, can you answer the question as to what time the Einsatzgruppe was operating?

A The Einsatz staff went into the Caucasus, then was brought back. As far as I remember, a fighting Kommando was made of it under the leadership of Bierkamp. Thereafter, the Einsatz Group was, as far as I remember, entirely dissolved. It was amalgamated into the general government and a large number of its personnel were taken thither.

Q What was your occupation after this happened?

A I believe I can say that the Einsatz Group ceased to exist after the retreat from the Caucasus. Thereafter, it took over functions similar to those performed by the Army and to the immediate orders of the Chief of the Kripo in the Ukraine.

Q That is, it was under different command, that is all, that is the way I understand, but the function which it had before it continued to perform?

A No, that is not true. It became an actual fighting unit.

Q What does it mean? Against whom were the military actions directed?

A Within the scope of the military operations.

Q Or, can you say more particularly what this group was actually doing?

A After the retreat --

H0028 - 0041

Q When you say that the function of this group has changed when it has conducted operations.

A I have no concrete experiences myself. It was used for reconaissance against the partisans and also was actually used as a fighting unit militarily.

H0028 - 0042

Q- But did it carry out any executions?

A I cannot make any definite statement about that as regards this period of time for it now entered into territories in which that sort of activity no longer came into question.

Q In your testimony you said that the Einsatz Group had the object of annihilation of the Jews and the Kommissars, is that correct?

A Yes.

Q And in what group did you consider the children? For what reason were the children massacred?

A The order was that the Jewish population should be liquidated in its entirety.

Q Including children?

A Yes.

Q Were allthe Jewish children murdered?

A Yes.

Q The children of those whom you considered as children of Kommissars?

A I do not know that the families of Soviet Kommissars were ever inquired after.

Q Were you sending anywhere the reports of those executions which the group carried out?

A The reports on the executions were regularly submitted to the RSHA.

Q But you, personally, did you send any reports with reference to the annihilation of thousands of people, which you did? You, personally, did you submit any report?

A The reports came from the Einsatz Kommandos to the Einsatz Group, and the Einsatz Group informed the RSHA.

Q Where to?

A They went to the Chief of the SIPO personally.

Q Personally?

A Yes, personally.

Q What was the name of this police officer? Can you name his name? Can you tell his name?

A At that time, Heydrich.

Q After Heydrich?

H0028 - 0043

A I didn't experience what happened after that, but that was the standing order.

Q I am asking of you whether you continued to submit reports after Heydrich.

A After Heydrich's death I was no longer serving, but the order, of course, continued in effect.

Q Have you any information whether the reports were continuing after Heydrich left or were discontinued?

A No.

Q The order on the annihilation of the Soviet people, was it in conformity with the policy of the German Government or was it against it? Do you understand the question?

A Yes. One must, however, discriminate. The order for the liquidation came from the Fuehrer of the Reich and it wasto be carried out by the Reichsfuehrer SS Himmler.

Q But was it in conformity with the policy which was conducted by the German Party and the German Government, or was it contrary to it?

A Politics is already activity. It was a policy that was determined by the Fuehrer. If you ask whether this activity corresponds to the idea of National Socialism, then I should deny that.

Q I am talking about the practice.

BY THE PRESIDENT:

Q I understood you to say that objects of value were taken from the Jewish victims by the Jewish Council of Elders.

A Yes.

Q Did the Jewish Council of Elders settle who were to be killed?

A No.

Q How did they know who was to be killed?

A The Jewish Council of Elders determined who were Jews and registered them.

Q And when they registered them did they take their valuables from them?

A That was done in various ways. As far as I remember, the Council of Elders was given the order to collect valuables.

H0028 – 0044

Q So the Jewish Council of Elders wouldn't know whether or not they were to be killed?

A That is true.

THE PRESIDENT: We will adjourn now until five minutes past two.

(Whereupon at 1250 hours the hearing of the Tribunal adjourned to reconvene at 1405 hours).

H0028 - 0045

Official transcript of the International Military Tribunal, in the matter of: The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nurnberg, Germany, on 3 January 1946, 1400-1700, Lord Justice Lawrence presiding.

(TESTIMONY OF OTTO OHLENDORF, CONTINUED)

BY THE TRIBUNAL (Mr. Biddle):

Q When you spoke of the written agreement between the leaders of the Einsatz Groups and the Army, do you know whether or not the functions and purposes of the Einsatz Groups were described in the agreement? Did the agreement say what the Groups were going to do?

A I cannot tell that exactly.

Q Do you understand the question?

A Yes. I cannot say that exactly, whether there was a general sentence in the agreement regarding the Security Police activity in this operational sphere, but I am certain that regarding the activity of liquidation, there was nothing said.

Q You stated that there had been a general order for the liquidation of all Jews. Was that order in writing?

A No.

Q Do you know who gave the order?

A Is this question regarding the activity of the Einsatzgruppe?

Q Yes.

A Regarding the Einsatzgruppe, the order came through Himmler, Heydrich, Streckenbach to the Einsatzgruppe verbally, and the second time repeated by Himmler personally.

Q Did a similar order go to the Army?

A In this form I am not conscious of this order.

THE PRESIDENT: Now, do any of the Defendants' Counsel wish to cross-examine this witness?

CROSS EXAMINATION

BY DR. NELTE (Counsel for Defendant Keitel):

Q Witness, you said that several weeks before the beginning of the

H0028 - 0046

Russian campaign. there were conferences regarding the missions or activities of the Einsatzgruppe and Einsatzkommandos. Were you personally present at these conferences?

A May I confirm that, according to my recollection, the main theme was not the mission of the Einsatzgruppe but the structure of the mobile units for an activity in the scope of the operating units of the Army.

Q In other words, the concern was missions within the sphere of the Army?

A Yes.

Q You testified that the written agreement between RSHA on one hand and the OKW and OKH on the other was made. Are you familiar with the distinction between the OKH and the OKW?

A Yes.

Q Who from OKW was present at these conferences?

A I cannot mention names because I personally was not present, but these conferences were led by Heydrich on one hand and by his deputy Schellenberg, on the other side.

Q Schellenberg said in an affidavit that was presented here -- he talked about the question and he mentioned General Quartiermeister Wagner as that person with whom he was dealing. Can you remember whether this was true at these conferences, the conferences of which you are speaking?

A General Quartiermeister Wagner was one of the few names that I remember from these conferences as a name that was mentioned in the conferences.

Q It is known to you that General Quartiermeister Wagner was not connected with OKW. You cannot mention any personality which was really representative of OKW?

A No, I cannot. I only said that I remembered the letterhead OKW-OKH. I remember these letterheads, and the double title meant to me that there were some conferences with Canaris, and some agreement with Canaris would be material in this agreement, and the letterhead was strange to me, and I explained the letterhead that way. There was a matter of plot connected with this. A general letterhead, OKW-OKH, there

H0028 - 0047

was no such thing.

Q In this case, there must have been a typewritten copy?

A Yes, there was a copy of this involved, as I remember it.

Q Do you know which signatures this document carried that you remember?

A I can't remember; I'm sorry.

Q One of the Judges already put the question that naturally follows on the receipt of such an agreement certain orders would follow. In one of these orders perhaps the name OKW was mentioned or the signature?

A I don't know which orders you mean.

Q When there is some agreement between two different institutions, RSHA and OKW, naturally that office which will carry through the things that were discussed, and they have to be put into a certain form, and then military orders will be carried out through that. Is such an order known to you, originating from OKW?

A There were orders from the Army. These orders did not come to me. I only received my orders or wishes from the Army.

Q From the Army or from your superior. Therefore, between you, as the leader of this Einsatzgruppe, and the OKW, as an institution, there was no direct connection?

A No direct connection. All I know is that individual orders came in the regular channels to the OKW.

Q If you know that, can you tell me to which office, because, after all, OKW covered many?

A I would like to assume in the final analysis to Canaris.

DR. NELTE: I thank you.

Q In your position as Chief of the SD, you will probably be able to give us a picture about the confidence to be placed in the members of the Cabinet and the ability to keep confidential the most important matters. Please answer this question: Whether the order which is under discussion today regarding the liquidation according to your opinion, was born or originated in the Reichscabinet and whether this order, according to your opinion, was made known to the individual members?

H0028 - 0048

A I am convinced both questions can be answered with "NO". Dr.KUBUSCHOF (Counsel for the Reichscabinet). In addition, I'd like to ask the witness a few questions for the Defendant Speer, for Counsel for Speer is absent and I have undertaken to do this matter for him.

Q Is it known to you that the Defendant Speer, contrary to the decrees of Hitler, took measures to prevent the destruction of industrial and other institutions?

A Yes.

Q That these measures covered the interior and the occupied countries, such as Upper Silesia, and so forth?

A I believe that the time mentioned, as far as I know, was so late that, excepting a few spheres in the West, the East was not essential.

Q Another question, that you perhaps may know. Do you know that the Defendant Speer in the middle of February of this year prepared an attempt on Hitler's life?

A No.

Q Do you know that Speer undertook to turn Himmler over to the Allies so that he could face his responsibilities and possibly could shield other people who were innocent?

A No.

DR. KUBUSCHOF: This question will be certified through another witness later.

Q Do you have a clear picture of the 20th of July?

A In large measure.

Q Is it known to you that in the circle of the assassins of the 20th of July, the Defendant Speer was to be kept on as Minister? Do you know any particulars?

A The people involved on the 20th of July-- I only know that there was a plan of organization and that he was to be in the Department of Armament.

Q Do you believe that this plan of the assassins of the 20th of July may be brought back to this: That the Defendant Speer, according to his activity, was, not only in these circles, but otherwise, was considered an expert and a non-political man?

H0028 - 0049

A The question is hard to answer. It is very difficult not to be considered political when you are so close to the political circles of the Reich, and perhaps the most important, the most essential factor from whom decisions evolved. On the other side, we knew that Minister Speer was not considered a completely political man.

BY DR. MERKEL (Counsel for the Gestapo):

Q Do you know that in April of 1933 the Gestapo was created in Prussia?

A I don't know the month but the year.

Q Do you know what the purpose of the institution was?

A To fight political opponents which could be dangerous to the State.

Q Do you know how this institution was originally meant only for Prussia and extended over the rest of the Reich?

A Either in the year '33 or in the year '34, our State received this institution as a political measure. These political police were established in 1934 or '35, as I recollect, put under the Reichsfuehrer at Essen, and he was to be the political chief, and they were to be under his jurisdiction. The first comprehensive office was the Prussian Gestapo. After the creation of the main office of the Security Police, the matters of authority were given over to Heydrich and the RSHA carried out the orders.

Q Who instituted this in the various countries?

A I can't tell you.

Q Do you know if before 1933 there was a similar institution of political police?

A Yes, that was present, as far as I remember. For instance, in Berlin, I believe there were institutions like that.

Q Do you know about the spheres of activity of these institutions before '33?

A On the whole, the same.

Q Do you know about how the personnel of the Gestapo was set up? The Gestapo police seems to have been something new. It was not a taking over of the old personnel.

A When I heard of the State Police, it was surely such that the experts

H0028-0050

of the Criminal Police were taken over and that the leading men in the State Police offices, that is, in the regular offices of the State Police, for the most part came from the inner administration, and they were taken from the inner administration of the country, and the same thing would hold true for the experts of Amt 4 and the Gestapo.

Q You said that the officials were commanded--

A I did not say to the last part but for a part.

Q Was there for some members of the Gestapo the possibility to protest or not to go into the Gestapo if they did not wish to?

A Positive resistance I would not agree to. Some of them probably adroitly protected themselves, but if anyone was in the inner circle and he was commanded, then as an official he had to go and serve.

Q The members of the Gestapo, were they exclusively or not officials?

A During the war, probably not, but on the whole they were. As far as they were experts they were officials, but in their training they were not officials.

H0028-0051

Q Can you tell me about the approximate number of the Gestapo toward the end of the war? Can you give me that figure?

A I estimate total membership, including all, about 30,000.

Q There were within the Gestapo a large percentage of officials who were administrative officials--who were administrative officials who didn't have any executive powers?

A Yes.

Q And what was that percentage of these who were just administrative officials?

A We have to consider that in this number all the help was included, including girls, and it is not possible for me to give a relative number at this time. But surely the No. 1 experts--one to three. That ratio would not be too high.

Q Do you know anything about who was responsible for it?

A Pohl was responsible for the concentration camp leadership.

Q Did the Gestapo have anything to do with the leadership and with the administration of the concentration camps?

A According to my knowledge, no; they did not have anything to do with that.

Q Then, according to the concentration camps, there were no Gestapo people active, or active in the measures which took place there?

A As far as I know, from the periphery of the concentration camps, the state police were only examining magistrates present.

Q Was the Gestapo in any form involved in the mass murders that you mentioned this morning?

A Only as the other people that were present in the Einsatz Group.

DR. MERKEL: I ask the Tribunal, after the return of the Defendant Kaltenbrunner, to give me the opportunity to question this witness again, because I am faced with the information received from Kaltenbrunner.

THE PRESIDENT: I think that the Tribunal will be prepared to allow you to put further questions at a later stage.

DR. MERKEL: Thank you.

H0028 – 0052

DR. EXNER (Counsel of the General Staff and the OKW):

Q You mentioned the conferences which took place with the OKW which later led to an agreement between OKW and OKH on one side, and RSHA on the other, and I am interested in this point: Can you tell us--can you confirm that at these conferences there was a discussion regarding the killing of Jews?

A I cannot give you anything concrete, but I do not believe it.

Q In addition, you told us that the Commander-in-Chief of the Eleventh Army knew about the liquidations, and I'd like to ask do you know anything regarding the other commanders of the other armies?

A In general, they must have been informed through the speech of the Fuehrer before the beginning of the Russian campaign.

Q That is a conclusion that you drew?

A It is not a conclusion; it is the repetition of the contents of the speech which, according to Himmler, Hitler gave to the commanding generals.

Q You told us about decrees or directives which the Commanding General of the Eleventh Army gave. What kind of decrees were they?

A One, I talked about the commanding general in the case of Nikolayev, and the directive at that time was that the liquidation was to take place within two hundred miles of the headquarters. The second time I did not talk about the commander-in-chief but from the oberkommando at Simferopol, and I spoke about it, but I couldn't tell you with certainty from whom this plea or request to accelerate the liquidation at Simferopol came.

Q That is the question that I would like to put to you: With which person of the Eleventh Army did you confer?

A I personally did not confer with anyone, because I was not the person concerned with that question, but the oberkommando of the Army dealt with the local authorities on that, either through the commanding army station or office which dealt with the Einsatz Commando and was in contact with it, I-C or I-CAO, or from the staff of OQ.

Q Who gave directives for the march?

A The directives for the march came, as a rule, from the chief of the day.

Q As the commander-in-chief at that time you mentioned Mannstein. Was

H0028 - 0053

there an order in this matter that was signed by von Mannstein?

A I cannot remember any such order, but on the march there were oral conversations with Mannstein and the chief of staff and myself.

Q About the execution of the march?

A Yes.

Q You said that the Army was against these liquidations. Can you tell me any more just how this was evidenced?

A Not the Army but the leading personalities were against this liquidation.

Q And how did you know that or recognize that?

A In general discussions. Not only the leading personalities of the Army; they were not the only people against this, but a great part of those who had to carry out these liquidations.

DR. EXNER: Thank you.

PROF. KRAUS (Counsel for Defendant Schacht):

Q Do you know the personnel records regarding Schacht?

A No.

Q Do you know why, after the 20th of July, Schacht was arrested and put into a concentration camp?

A Probably it was the incidents of the 20th July were favorable to put Schacht, who was inimical to the Party, and to take him in this way, because he was connected in this matter and could be --

Q Then Defendant Schacht was known to you as inimical to the Party?

A Yes, especially at least since the year 1938--1937 or 1938.

Q Since the year 1937 or 1938. And you had the suspicion that he was active on putsches?

A I didn't personally, because I wasn't concerned with these matters, but he was under suspicion because of his inimical position, as far as I know. But this suspicion did not ripen or mature.

H0028 – 0054

Q Can you tell me who was responsible for the arrest of Schacht?

A That I can't say.

Q Then you don't know whether the arrest came through the Fuehrer or Himmler or through a lesser office?

A It is impossible through a lesser office.

Q Then you assume through the Fuehrer?

A At least by Himmler.

DR. STAHMER (Counsel for Defendant Goering):

Q If I heard correctly, you said at the beginning of 1933, after the taking up of power by Hitler, the Gestapo was created in Prussia, but before that time there was an institution which had a similar mission in Prussia; for instance, especially in Berlin.

A It was against National Socialism and the other way around, yes.

Q It had the mission to protect the state against political enemies. You said further, in 1933, after the taking up of power, the other countries of Germany then in 1933, after the taking over of power in the other countries or states of Germany, a political police was instituted?

A Yes, in the year 1933-1934.

Q Then the political police which was created after 1934 -- it was put into a comprehensive scope under Himmler?

A At first they were not drawn together, but Himmler became the chief of all the countries -- of the police of all the countries.

Q Now, the Prussian Gestapo was considered a leader only before 1934? After Himmler took over the leadership it wasn't considered a model?

A I do not believe that the Prussian State Police which Reichsmarshal Goering led was not considered a model for the rest of the countries.

DR. KRANZBUEHLER (Counsel for Defendant Raeder): I am speaking for Admiral Raeder.

Q You just said that the speech of the Fuehrer before the commanders-in-chief in which the Fuehrer instructed the commanders-in-chief regarding the liquidation of Jews -- which conference do you mean by that?

H0028 -0055

A A conference shortly before the Russian campaign which took place with the commanders-in-chief.

Q And how about the Wehrmacht commanders-in-chief?

A No.

Q Were you there?

A No. I repeat what I heard in a conversation with Himmler.

Q And this conversation with Himmler: was that before many people or was it personal?

A It was a personal conversation.

Q Private conversation. Did you have the impression that Himmler repeated facts, or do you consider it possible that he told you for your difficult task -- a pep-talk, so to speak?

A No. The conversation took place much later and did not come from such motives, but Himmler wanted to give expression that some of the Wehrmacht generals could not deviate from things that had taken place and were taking place, because they had the same responsibility as all the rest.

Q And when did this conversation take place?

A In May, at Flensburg, 1945.

DR. SERVATIUS (For the Organization of the Political Leaders):

Q Regarding the order of the apparatus t he RSHA had to carry through its measures according to the local offices, was there a special channel or were the channels of the organization of the political leaders involved, or was the channel through the leadership corps? Did the orders go to the gauleitung or kreisleitung?

A I don't know about that. I do not consider it possible.

Q You consider it impossible that the kreisleitung was informed?

A You asked me what the channels were; you did not ask me whether they were informed.

Q Were these departments or offices informed on the others?

A Either inspectors or Gestapoleiter or SA leaders were considered political experts of the gauleiter, and these officials or people were obligated to give the gauleiter reports on the activity. Just how intensively

H0028-0056

that was carried on I don't know. I had no way to check, but it depends on the activity and the kind of cooperation that went on between the gauleiter and his experts. But it is not considered possible that the state police on the whole could not carry on this activity without the responsible Party members -- without their knowledge.

Q Did the reports from low to high work in the same way?

A The cadets were without the state police, I am convinced, because these were matters of the Reich; that is, such intensive working together would not exist as between the gauleiter and his men.

Q I also represent the Defendant Sauckel. Do you know about the putting in of alien workers?

A Superficially.

DR. BABEL (Counsel for the SS and SD):

Q This morning you mentioned numbers of figures from 3,000 and 30,000 of the Security Police. I would now like to ascertain how these figures are to be interpreted or to be taken. The 3,000 members of the Security Police which you mentioned this morning, are they the complete personnel at that time, or are they only those parties which were active mobile units that you mentioned?

A No. Altogether the total number, including all personnel, including female help.

Q And the 30,000 which you talked about a little while ago, some were honorary positions which were used only in the interior -- only in Germany?

A Yes, as a rule, yes; and essential parts where there were not SS or not Party members.

Q How large was the part of the mobile units which took part in the executions for the SD?

A SD had no mobile units. There were only particular members

H0028 - 0057

of the SD and they were commanded to work with these offices. The SD was its own department, and it was not independently working.

Q And how many of those people?

A Very small. In my estimate, two to three SD men were active.

Q Now, I'd like some information and I need information regarding the membership of the SS. Do you have any knowledge?

A No, I have no idea.

Q These Einsatzgruppen---were there some people of the Waffen SS and other affiliated groups of the SS taking part?

A As I said this morning, in each Einsatz group, or rather each Einsatz group should have a company of Waffen SS.

Q A company. And what was the membership of that company at that time?

A I do not know the exact strength of the Waffen SS, but in my case, my particular case, about a hundred men.

Q Were Totenkopfverbaende involved?

A No, and I can't tell you the formations from which the men were taken.

Q Another question you touched upon this morning: When did the SD originate and what were its problems?

A As far as I know, it originated in 1932.

Q And the mission at that time?

A So to speak, it should tell about the opponents of the state.

Q These missions--were they changed in the course of time, and how?

A Yes, after the taking over of power. First, the fighting of the opponents was the prime consideration in some spheres, and information on personnel was equally important. At that time a message service was not real in existence, and the development of the SD proceeding in the internal reporti originated in 1936, 1937. After that time the work progressed from personnel to factual matters, and the reorganization in 1939 when the SD main office was dissolved, the treating of the opponents was eliminated from the work of the SD and the SD work was limited to technical matters; and their work was the measures which the leadership provisions of the Reich and of the states carrie on to observe the results and to determine how the localities involved were reacting, and also to see what the public feeling was in every phase during th

H0028-0058

war and howpublic opinion was working during the war. It was, as a matter of fact, the only critical position within the Reich which, according to objectives views, could report to the top leadership positions of the country, and I'd like to point out that the Party did not make legitimate this work up until 1945. The only real legitimate reason for this work came from Goering and after the beginning of the war, at the conferences of the Reich Defense Council, to bring the other departments to point out mistake to the other departments of the Reich, and this critical expert work after 1939 was the chief content of the SD interior department; that was their chief work.

Q Another question. How far did the SD--how were they active in concentration camps?

A We would have to differentiate between SD interior and SD Ausland. SD Ausland,--I can't give you any information; but the chief, Schellenberg, is present and will give you information. As far as Amt III is concerned, I know no single case that SD Inland had anything to do with concentration camps.

Q Now, a personal question. From whom did you have the orders of the liquidation of the Jews and so forth? From whom did you receive them? In what form?

A My mission was not liquidation, but I had the staff of the Einsatz commando, and the Einsatz commando had had from Berlin those orders from Himmler, Heydrich, and Streckenbach. They had received this order from Berlin, and this order was again given by Himmler at Nikolaiev.

Q You personally were not concerned with the execution of these orders

A I led the Einsatz group, and in that sphere I had the mission to see how the Einsatz commandos were carrying through the orders that they had received.

Q Did you have no thought, no qualms, against these orders?

A Yes, I certainly did.

Q And how is it that they were carried out regardless?

A Because it was impossible for me to see that a subordinate leader can not carry through the orders that were given to him by the

H0028 - 0059

leadership of the state.

Q You had that opinion by yourself or secretly, and this same position or attitude was taken by most people involved, not just by you, out of the circle of the men who had to execute these orders? Didn't some of these people tell you that they would like to relieve you of these missions?

A I can't remember any concrete example. Some of these men were relieved whom I didn't believe had the nerve to carry through these executions, and I sent them home.

Q Was the cloak of legality given to these orders?

A I do not exactly understand. The order was given so that the legality the matter of legality, was not the concern of the people who had to carry these orders out, because the oath of obedience was upon all these people.

Q The particular man,--could he try to go against these orders?

A No; the result would have been a court martial.

THE PRESIDENT: Yes, Colonel Amen. Do you wish to re-examine?

COLONEL AMEN: Just a very few questions, Your Honor.

REDIRECT EXAMINATION

BY COLONEL AMEN:

Q What organization furnished the supplies to the Einsatz Groups?

A The Reichssicherheitshaumptamt took care of these things.

Q What organization furnished weapons to the Einsatz Groups?

A The weapons were handled in the same way.

Q What organization assigned personnel to the Einsatz Groups?

A The Organization and Personnel Amt of the RSHA.

Q And these activities of supplies required personnel in addition to the operating members?

H0028 - 0060

A Yes.

COLONEL MEN: I have no more questions.

THE PRESIDENT: That will do; thank you.

COLONEL MEN: The next witness to be called by the prosecution is Dieter Wisliceny. That witness will be examined by Lt. Col. Smith W. Brookhart, Jr.

BY THE PRESIDENT:

Q What is your name?

A Dieter Wisliceny.

Q Will you repeat this oath? I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(Witness repeated oath in German.)

BY COLONEL BROOKHART:

Q How old are you?

A I am thirty-four years old.

Q Where were you born?

A I was born at Regulofken in East Prussia.

Q Were you a member of the NSDAP?

A Yes, I was a member of the NSDAP.

Q Since what year?

A First, before 1933, I entered in the spring; and finally entered again in 1933.

Q Were you a member of the SS?

A Yes. I entered the SS in 1934.

Q Were you a member of the Gestapo?

A In 1934 I entered the SD.

Q What rank did you achieve?

A In 1940 I was promoted to Hauptsturmfuehrer.

Q Do you know Adolf Eichmann?

A Yes, I know Eichmann since 1934. In 1934, at about the same time, we joined the SD together. Until 1937 we were in the same department.

Q Did you know Eichmann personally?

H0028-0061

A We knew each other very well. We went to the same school, and I know his family very well.

Q What was his position?

A Eichmann was in the RSHA, chief of Section IV, Gestapo.

Q Section IV or a subsection, and if so which subsection?

A He led Section IV-A-4. This section had two spheres; the church and the other Jewish problem.

Q You have before you a diagram showing the position of subsection IV-A-4-b from the RSHA?

A Yes.

Q Did you prepare this diagram?

A Yes, I made the diagram myself.

Q Does it correctly portray the organizational setup showing the sections dealing with Jewish problems?

A Yes. It concerns the section at the beginning of the year 1944, and its personnel.

Q Referring to this chart and the list of leading personnel as shown in the lower section of the paper, were you personally acquaited with each of the individuals named therein?

A Yes; I knew all of them myself.

Q What was the particular mission of IV-A-4-b of the RSHA?

A This section, IV-A-4-b, was concerned with the Jewish question. Eichmann had special powers from Mueller, the chief of Amt IV, and from the chief of the Security Police. He was responsible for the so-called solution of the Jewish question in all of Germany and all occupied countries.

Q Were there distinct periods of activity affecting the Jews?

A Yes.

Q Describe to the Tribunal the approximate periods and the different types of activity.

A Yes. Until the year 1940 the general policies were in Germany and in the occupied countries to settle this through planned immigration. The second phase, the concentration of Jews in Poland and the rest of the occupied territories in the East; to have them concentrated in Ghettos. This period was

H0028-0062

approximately until the beginning of 1942. And the third period, the final solution of this problem, the planned destruction of the Jewish race. This period covered the period until October 1944; until Himmler gave the order to stop this period of destruction or annihilation.

(A recess was taken from 1520-1530.)

BY COL. BROOKHART:

Q When did you first become associated with Section IV A 4 of the R.S.H.A.?

A That was in 1940. Eichmann suggested to me to go to Bradislav as a counsellor on the Jewish question, to the Slovakian Government.

Q Thereafter how long did you hold that position?

A Until the spring of 1943 I was at Bratislav, then almost a year in Greece, and then from March, 1944, until December, 1944, I was with Eichmann in Hungary. In January, 1945, I left Eichmann's apartment.

Q In your official section, Section IV A 4, did you learn of any order which directed the annihilation of all Jews?

A Yes, I received this order from Eichmann in the summer of 1942.

Q Tell the Tribunal under what circumstances about 17,000 Jews were taken from Slovakia to Poland as workers, and what the substance of the order was, in the spring of 1942.

A About 17,000 Jews were taken from Slovakia to Poland as workers. There was an agreement with the Slovakian Government, and it was requested whether the members of the families of these workers could not also be taken into Poland. Originally Eichmann declined this request.

In April or perhaps the beginning of May, 1942, Eichmann told me that from now on families could be taken to Poland. Eichmann himself in May of 1942 was at Bratislav and taled with the re-

H0028 - 0063

sponsible members of the Slovakian Government. He visited Minister Macht and the then Ministerpresident Tugas. At that time he gave the Slovakian Government assurance that these Jews would be treated decently and humanely in Polish ghettos, and this was the specified wish of the Slovakian Government. As a result of this assurance about 35,000 Jews were taken from Czechoslovakia into Poland. The Slovakian Government made efforts to see that these Jews would be treated humanely; especially did they made efforts on behalf of Jews who had been converted to Christianity.

Ministerpresident Tugas repeatedly asked me to come to him and expressed the wish that a Slovakian delegation visit the regions in which the Slovakian Jews were, supposedly. This wish of Tugas I transmitted to Eichmann, and the Slovakian Government was notified of this. Eichmann gave an evasive answer.

At the end of July or perhaps the beginning of August I went to him in Berlin and asked him emphatically to grant the request of the Slovakian Government regarding the Jews. I pointed out to him that in the foreign countries there were rumors that all Jews in Poland would be annihilated. I further pointed out to him that the Pope intervened with the Slovakian Government. I further pointed out to him that such a proceeding, if it actually had taken place, would damage German prestige in the foreign countries, and for these many reasons I please asked him to grant the request; and after a lengthy discussion Eichmann told me that this request to visit the Polish ghettos could be granted under no circumstances. On my asking him "Why"? he said these Jews were not alive for the most part. I asked him who had given this order, an order of that type, and he said that it was an order of Himmler's. I begged him to show me this order, because I couldn't conceive that such an order was actually existing.

Q Where were you at the time of this meeting with Eichmann?

A This meeting with Eichmann took place in Berlin, Kurfuersten Strasse 116, in Eichmann's office.

Q Proceed with the answer to the previous question.

H0028-0064

A Eichmann told me he could show me this order in writing if it would sooth my conscience. He went to a safe and took a small manuscript out of it and showed me a document, or piece of writing, of Himmler's. In this piece of writing there was the following:

The Fuehrer had decreed the final solution of the Jewish question, and the Chief of the Security Police and SD and the Inspector of Concentration Camps were designated as responsible for the execution of this order, which was as follows regarding the final solution of the Jewish problem: Males and females who are able to work should be set aside and they should work in concentration camps. This piece of writing was signed by Himmler himself. There is no possibility of a mistake, because I know Himmler's signature for certain.

Q To whom was the order addressed?

A To the Chief of the Security Police and SD. That means to the office of the Chief of the SD and Security Police.

Q Was there any other addressee on this order?

A Yes, the Inspector of the concentration camp system, and this order was addressed to both of these officers.

Q Did the order bear any classification for security purposes?

A It was considered top secret.

Q What was the approximate date of this order?

A This order was dated April, 1942.

Q By whom was it signed.

A By Himmler personally.

Q Have you personally examined this order in Eichmann's office?

A Yes, Eichmann gave me this piece of writing and I saw the order myself.

Q Was any question asked by you as to the meaning of the words "final solution" as used in the order?

A Eichmann explained this concept to me. He said that in this concept of final colution the planned biological destruction of the Jewish race in the eastern territories was meant, and in later discussions on the same subject the same phrase was used again and again.

H0028 – 0065

Q Was anything said by you to Eichmann in regard to the power give him under this order?

A Eichmann told me that he personally was commissioned with the execution of this order. The execution of this order brought with it all powers and was given to him by the Chief of the Security Police, and he himself was personally responsible for the execution of this order.

Q Did you make any comment to Eichmann about his authority?

A Yes. It was perfectly clear to me that this order was the death sentence for millions of people. I told Eichmann, "God forbid that our enemies should ever have the opportunity to do the same to the German people," and Eichmann said I should'nt become sentimental, that it was an order of the Fuehrer and it would have to be carried through.

Q Do you know whether that order continued in force and under the operation of Eichmann's department?

A Yes.

Q For how long?

A How long? This decree was in force until October, 1944. At that time Himmler gave a contrary decree regarding the annihilation of the Jews and rescinded the first order.

Q Who was the Chief of the Reichssicherheitshaumptamt at the time the order was first issued?

A Heydrich was the Chief.

Q Did the program under this order continue with equal force under Kaltenbrunner?

A Yes, there was no change of any sort, no alleviation.

Q State, if you know, how long Kaltenbrunner knew Eichmann.

A According to varied statements by Eichmann, I deduced that Kaltenbrunner knew Eichmann for a long time. Both came from Linz, and when Kaltenbrunner was made the Chief of the Security Police Eichmann mentioned his satisfaction, and he said to me at that time that he knew Kaltenbrunner personally very well, and that Kaltenbrunner knew his family from Linz.

HO028 – 0066

Q Did Eichmann ever refer to his friendship or standing with Kaltenbrunner as being helpful to him?

A Yes, he said repeatedly that if he had any serious trouble

H0028 - 0067

he could at any time go to Kaltenbrunner personally. He didn't need to do that, since his connection with his Chief, Mueller, was very good.

Q. Have you been present when Eichmann and Kaltenbrunner met?

A. Yes, at one time I saw a hearty greeting between Eichmann and Kaltenbrunner and that was in February, 1945, in Eichmann's office at Berlin. Kaltenbrunner came every noon for his noon meal to the Kurfuersten Strasse 116, and there gathered the Chiefs for company; and on one occasion like that I personally saw that Kaltenbrunner greeted Eichmann heartily and asked about the health of Eichmann's family in Linz.

Q. In connection with the administration of his office, do you know to what extent Eichmann submitted matters to Heydrich and later to Kaltenbrunner for approval?

A. The ordinary channel of Eichmann to Kaltenbrunner was through Mueller, and reports to Kaltenbrunner, as far as I know, from time to time were made by Eichmann and submitted to Kaltenbrunner. I also know that in the summer of 1944 he made a personal report to Kaltenbrunner.

Q. Did you have an opportunity to examine files in Eichmann's office?

A. Yes, frequently I had the chance to look into the files of Eichmann's office and I know that Eichmann questioned as to which pertained to his own mission and these he treated with great care. He was a decided bureaucrat, and any conference with any of his superiors was put down in writing and a record made. He always repeated to me that the most important thing was for him to be covered from above at all times. He himself shied away from personal responsibility and was very careful to have the responsibility with his superiors, such as Kaltenbrunner and Mueller.

Q. In the case of a typical report going from Eichmann's department through Mueller, Kaltenbrunner, and to Himmler, have you seen copies of such reports in Eichmann's file?

A. Yes, such copies were in the files, and the regular channel was as follows: Eichmann had a sketch made through an expert or he made it himself, this sketch being to Gruppenfuehrer Mueller, his superior, his chief.

H0028 - 0068

Mueller either signed it himself or left the signature to Eichmann. In some cases, as far as reports to Kaltenbrunner and Himmler were concerned, Meuller signed them. When the report was signed without change by Mueller, it was returned to Eichmann's office and then the final copy was made, together with a copy. This original went to Mueller for his signature and from then on it was sent to Kaltenbrunner or Himmler. In some individual cases when there were reports to Himmler involved, Kaltenbrunner himself signed those reports, and I saw copies with Kaltenbrunner's signature myself.

Q. Turning now to countries in which measures were taken affecting the Jews, will you state as to which countries you have personal knowledge of such operations?

A. I have personal knowledge of all measures which were taken in Czechoslovakia. I am also informed on the evacuation of Jews from Greece and the evacuation from Hungary. I also know about certain measures in Bulgaria and in Croatia. The measures taken in other countries I heard about of course, but didn't have a clear picture.

Q. Considering the case of Slovakia, you have already made reference to the 17,000 Jews specially selected who were sent from Slovakia. Will you tell the Tribunal of the other measures that followed concerning Jews in Slovakia?

A. I mentioned before that the first 17,000 laborers were Jews; about 35,000 Jews, including families, followed. About August or beginning September, 1942, this action was stopped in Slovakia and the reasons therefor were that a large number of Jews were left in Czechoslovakia who had the consent of the government to stay in the country, and when the Slovakian Government made the request to see the Jews, I had to give an unsatisfactory answer. This state of affairs went on until 1944; from August of 1942 until September of 1944 no Jews were sent from Czechoslovakia Twenty-five to thirty thousand Jews were left in Czechoslovakia.

Q. What happened to the first group of 17,000 specially-selected worke

H0028 - 0069

A. This group wasn't annihilated, but was used for labor purposes in Auschwitz and Lublin.

Q. How do you know that?

A. I know this because the Commander of Auschwitz in 1944 came to Hungary and made a remark to that effect to me. He said at that time that these 17,000 Jews were his best workers in Auschwitz.

Q. What was his name?

A. The Commandant of Auschwitz -- his name was Hoess.

Q. What happened to the approximately 35,000 members of the families of the Jewish workers?

A. They were treated according to the order showed me in August of 1942. Part of them were left alive if they could be used for work. The others were killed.

Q. How do you know this?

A. I know that from Eichmann and from Hoess, according to the conversations in Hungary.

Q. What portion of this group remained alive?

A. Hoess gave me the figures in a conversation with Eichmann, at which I was present, and he said the rest of the Jews who were left and fit for work were about 25 to 30 per cent.

Q. Referring now to the 25,000 Jews who remained in Slovakia until September of 1944, do you knwo what was done with them?

A. After the Slovak insurrection in the fall of 1944, Hauptsturm Fuehrer Brunner sent through a man of Eichmann's, and my wish to go to Slovakia was turned down by Eichmann. Brunner, with the help of German police and Slovak police, concentrated the Jews and transported them to Auschwitz. According to Brunner's statement, about 14,000 were involved. A small group which remained, according to my knowledge, in the spring of 1944 were sent to another city, Theresienstadt.

H0028 - 0070

Q What happened to these 35,000 Jews after they were shipped from Slovakia?

A I assume that they met with the so-called final solution because this order was not rescinded until some weeks after this all took place.

Q Considering now actions in Greece about which you have personal knowledge, will you tell the Tribunal of the actions there in a chronological sequence?

A In January, 1943, I was ordered by Eichmann to Berlin and he told me that I was to go to Saloniki and in connection with the German military administration at Macedonia to solve the Jewish problem there. Eichmann's permanent representative was in Saloniki and my departure for Saloniki was February '42. The end of January '42, I was told by Eichmann that for the technical execution of all actions in Greece, Brunner was designated and he was to go with me to Saloniki. Brunner was not under me. He acted independently. In February '42 we went to Saloniki and with the military administration took up our connections as the first action.

Q Who was the military administration that you dealt with?

A It was Dr. Merkel, the chief of the military administration.

Q I believe you used 1942 once or more in reference; did you at all times refer to 1943 in dealing with Greece?

A That is a mistake. These happenings in Greece took place in '43.

Q What arrangements were made through Dr. Merkel and what actions were taken?

A In Saloniki Jews were concentrated in certain quarters or certain parts of the city. In Saloniki there were about 60,000 Jews of Spanish descent. Beginning March then, after this concentration had taken place, there was a wire from Eichmann to Brunner directing him for the immediate transportation of Jews of Saloniki and Macedonia to transport them to Auschwitz. With this order Brunner and I went to the military administration. No exceptions were to be made and the measures were carried through as planned. Brunner himself led this action in Saloniki. The

H0028-0071

transports necessary were requisitioned from the Wehrmacht Commandant, and Brunner, all he had to do was mention how many cars he needed and what time he needed them.

Q Were any of the Jewish workers retained at the request of Dr.-Merkel or the military administration?

A Yes, for railroad construction work and military administration wanted about — after this construction was completed, the Jews were returned. Just like the rest, they were transported to Auschwitz and these works were carried out in the frame of the Organization Todt.

Q What was the number of Jewish workers retained for the Organization Todt?

A Three to four thousand.

Q Was there any illness among the Jews that were concentrated for transport?

A On the whole in this concentration camp there were no special cases of illness, but in some of the quarters, parts of the city which were inhabited by Jews a certain kind of typhus and other infections contagious diseases, especially Tuberculosis of the lungs.

Q What, if any, communication did you have with Eichmann concerning

H0028 - 0072

this typhus?

A I told Eichmann by telephone after the wire regarding the transportation of all Jews, and told him about these cases of typhus. He did not respond to this and ordered the immediate beginning of this transportation of the Jews.

Q Altogether, how many Jews were collected and shipped from Greece?

A There were more than 50,000 Jews. I believe that 54,000 Jews were transported from Saloniki and Macedonia.

Q What was the basis for your figure?

A I, myself, saw a comprehensive report of Brunner's to Eichmann, which was drawn up after these Jews had been transported. Brunner left Saloniki at the end of May, '43. From the beginning of April until May I was not at Saloniki, and Brunner carried out this action alone.

Q How many transports were used for shipping Jews from Saloniki?

A From twenty to twenty-five cars, transport trains.

Q And how many were shipped in each transport?

A There were at least 2000, and in some cases two and a half thousand in each.

Q What type of railway equipment was used for these shipments?

A Field freight cars. But the evacuees received food to last for about ten days. There was chiefly bread, olives, and other dried foods, also water and a few other hygienic or sanitary means.

Q Did you furnish this railway transportation?

A Transports were furnished by the Wehrmacht. That means the cars and the locomotives. The foodstuffs were furnished by the military administration.

Q What did the sub-section IV A 4 have to do with obtaining this transportation, and who in that sub-section dealt with transportation?

H0028 -0073

THE PRESIDENT: You needn't go into this in such great detail.

LT. COL. BROOKHART: If your Honor please, this particular question, I believe, will have a bearing on the implications involving the military administration, but I can cut down on the other details.

THE PRESIDENT: Well, you've spent some considerable time in describing how many of them were concentrated. Whether it was 60,000 or how many were kept for the Todt Organization--all those details are really unnecessary.

LT. COL. BROOKHART: Very well, sir.

THE PRESIDENT: You must use your own discretion about how you cut down. I don't know what details or what facts you are going to prove.

LT. COL. BROOKHART: If your Honor please, this witness, as he has testified, is competent to cover practically all details in these Balkan countries. It is not our wish to add accumulative evidence, but his testimony does furnish a complete story from the Head Office to the Reichssicherheitshauptamt through the field operations and through the final solution.

THE PRESIDENT: Well, what is he going to prove about these 50,000 Jews?

LT. COL. BROOKHART: An ultimate disposition, sir, as far as he knows.

THE PRESIDENT: What is he going to prove?

LT. COL. BROOKHART: His ultimate disposition at Auschwitz, as far as he knows.

THE PRESIDENT: Well, you can go on to what ultimately happened to them then.

LT. COL. BROOKHART: What was the destination of these transports of Jews from Greece?

A In every case or in any case Auschwitz.

H0028 - 0074

Q What was the ultimate disposition of the Jews sent to Auschwitz from Greece?

A They were without exception brought to the final solution.

Q During the course of this period were these Jews called upon to furnish their own subsistence?

A I didn't understand the question exactly.

THE PRESIDENT: The matter 'brought to the final solution' I suppose means death.

LT. COL. BROOKHART: Your Honor, this witness will testify that two hundred and eighty million drachmas were deposited in the Greek National Bank for the subsistence of these people: that this amount was later appropriated by the German military administration. That is all I have hope to prove by this question.

LT. COL. BROOKHART TO THE WITNESS: Is that a correct statement of your testimony?

A Yes. The cash which the Jews possessed was taken away and put into a common account at the Bank of Greece after the Jews were deported or transported away from Saloniki. Then this account was taken over by the military administration. About two hundred and eighty million drachmas were involved.

Q You say the Jews taken to Auschwitz were submitted to the final solution: what do you mean by that?

H0028-0075

A I mean by that, wich Eichmann told me at the final solution, that they were destroyed biologically. As I could gather from my conversations with Eichmann, this annihilation took place in death chambers. The bodies were burned, or cremated.

COL. BROOKHART: If your Honor please, this witness is able to testify as to actions in Hungary, involving approximately five hundred thousand Jews.

THE PRESIDENT: Go on, then. You must use your own discretion. I cannot present your case for you.

COL. BROOKHART: I have no desire to present cumulative evidence.

Q Turning to actions in Hungary, will you briefly outline the actions taken there and your participation?

A After the entry of German troops in Hungary, Eichmann went personally with a great staff to Hungary, through an order which was signed by the Chief of the SD. I was named to Eichmann's staff. Eichmann began his activities at the end of March, 1944. His activities in Hungary, that is. He worked with the members of the Hungarian government. The first measures which Eichmann, in connection with these officials, took, was a concentration of the Jews in Hungary in certain spots. These measures began in a zone-like arrangement and had their beginning in the so-called Carpatho-Russia and Siebenburgen.

The beginning of this action was the middle of April, 1944. In Carpathia, Russia, more than two hundred thousand Russians were covered by this order and through that, in the small towns and rural regions, where the Jews were concentrated, almost impossible conditions as to food and shelter arose, and from this situation arose the suggestion of Eichmann to the Hungarians that those Jews be transported to Auschwitz and other concentration camps.

He insisted that a corresponding request by the Hungarian Government be submitted to him. This request was made by State Secretary Von Backer, and the Hungarian police carried through this evacuation.

Eichmann himself made me a liaison officer by Lt. Col. Ferency, who was appointed from the Hungarian Ministry to assist in this evacuation. The transporting of these Jews from Hungary began in May 1944 and the

H0028 - 0076

transporting away began with the Carpathian district of Russia, Siebenburgen, North Hungary and South Hungary and in West Hungary. Budapest was to be evacuated by the end of June but this did not take place because Von Horthy did not permit it. This action included about 450 thousand Jews. A second action took place.

Q Will you tell the Tribunal what, if anything, was done about organizing Einsatzgruppe to act in Hungary on the Jewish question?

A Beginning March, 1944, the so-called Einsatzgruppe of the Security Police and SD was made up at Mauthausen by Linz. Eichmann himself had special command of all people who had special functions in his sphere, and a special action Kommando was collected at Mauthausen. Dr. Geschke was head of this Gruppe in business matters.

Q What was the meaning of the designation "Special Action Kommando Eichmann", in relation to the movement into Hungary?

A Eichmann's activities in Hungary included all matters connected with the Jewish problem.

Q Under whose direct supervision was Special Action Kommando Eichmann organized?

A I said already that in matters of personnel and economic matters, Eichmann was subordinate to Geschke, and Eichmann reported on action which he undertook directly to Berlin, either to Gruppenfuehrer Mueller, or, in more important things, to the Chief of the Security Police; that was Kaltenbrunner.

Q During the period in which Hungarian Jews were being selected, what, if any, contact was made by the Joint Distribution Committee on Jewish Affairs, with Eichmann's representative?

A The Joint Distribution Committee made efforts to have a meeting with Eichmann and to try to prevent the destiny of the Hungarian Jews, I, myself, facilitated this connection with Eichmann. I wanted to find a means that this half-million Jews -- that the Jews in Hungary should not be covered by the measures mentioned.

The Joint Distribution Committee made suggestions to Eichmann, and requested that the Jews remain in Hungary. Those suggestions were specially of a financial nature. Eichmann saw that he had cause to give

H0028 – 0077

these suggestions to Himmler, although he hesitated to do that.

Himmler had further con

H0028 - 0078

ferences with Standartenfuehrer Becher, and Becher had conferences with Dr. Kastner, and Eichmann wanted to bring those conferences to nought. He wanted to have results - that is, to have as many Jews as possible brought to Auschwitz.

THE PRESIDENT: Need we go into all these conferences? Can't you take us on to other matters?

COL. BROOKHART: I didn't hear all of your question, sir.

THE PRESIDENT: Need we have the details about those conferences?

COL. BROOKHART: The witness is inclined to be lengthy in his answers. That has been true in his pre-trial examination. I will try ...

THE PRESIDENT: You are examining him!

COL. BROOKHART: Yes sir.

Q Was there any money involved in the meeting between Dr. Kastner and Eichmann?

A Yes.

Q How much?

A In the first conversations, Dr. Kastner gave Eichmann about three million pengos and the amounts mentioned later, I don't know exactly.

Q To whom did Dr. Kastner give this money and what became of it?

A It was given to Eichmann and he gave it to a Treasury and this sum was given to the deputy of the SD in Hungary and the Security Police.

Q These actions that you have described involving approximately 450 thousand Jews being moved from Hungary -- were there any official communications sent to Berlin concerning these movements?

A Yes. For every transport that left a report was sent to Berlin. Eichmann, from time to time, gave comprehensive reports to the RSHA and the Chief of the Security Police.

Q Now, with reference to the Jews that remained in Budapest, what, if any, action was taken against them?

A Dr. Salasy took over the government in Hungary.

THE PRESIDENT: We have not yet heard, have we, what happened to those Jews in Hungary? If we have, I have missed it.

H0028-0079

COL. BROOKHART: I will ask that question now, sir.

Q What became of the Jews to whom you have already referred - apprximately 450 thousand?

A Without exception they were brought to Auschwitz and brought to the final solution.

Q Do you mean they were killed?

A Yes; with the exception of perhaps 25 or 30% who were used for purposes of work and I am referring to the conferences between Hoess and Eichmann, which took place at Budapest.

Q With reference to the Jews remaining in Budapest, what happened to them?

A In October, November 1944, about 30 (perhaps a few thousand more) were taken out and brought to Germany. They were to be used for defensive work in Vienna and to work on those fortifications. Mostly women were involved.

These Jews had to take the road from Hungary to the German border by foot - almost 200 kilometres. They were put into March Groups and followed specially-designated routes. Their shelter and nutrition on this march was very bad. Most of them took sick and were exhausted. I had the mission from Eichmann to take over these groups at the German border and to bring them to the Gauleitung Lower Danube for purposes of work. In many cases the taking over of these workers was turned down by me, because the people were totally exhausted and in a very poor state, because of illness. Eichmann forces me to take over even these people and threatened that he would turn me over to Himmler, so that I would be turned over and put into a concentration camp if I were to make further political trouble, and through these matters, I was removed from Eichmann's department.

A small part of these people were put into the work camps on the Lower Danube and they died through exhaustion.

H0028 - 0080

A small percentage, perhaps twelve-thousand were taken to Vienna, the boundary part to the west, and but three thousand were taken to Bergen and Belsen, and then into Switzerland. Those were Jews that had come from Germany.

Q. Summarizing the countries of Greece, Hungary and Slovakia, approximately how many Jews were affected by measures of the secret police, and the SD in those countries, about which you have personal knowledge?

A. In Slovakia there were about sixty-six thousand. In Greece about sixty-four thousand. In Hungary more than half a million.

Q. In the countries of Silesia and Bulgaria, about which you have some knowledge, how many Jews were thus affected?

A. In Bulgaria I know of about eight thousand. In Croatia I know only about three-thousand of a group were brought in the summer of '42 from Auschwitz.

Q. Were meetings held of the specialist on the Jewish problem from Amt IV-A for the terms which appear on this sheet, to which you made reference earlier?

A. Yes. Eichmann had the habit every year to have a large meeting in Berlin of all the people who were working for him. Those meetings were usually in November, and our man who were working for him in a foreign country had to report about the activities. In the year of 1944, a meeting didn't take place, that I know, because at that time Eichmann was still in Hungary.

Q. In connection with the Jews, about which you have personal knowledg how many were subject to the final solution; that is, the beginning of the year?

A. The exact number is very, very hard to determine. I should take certain things to go by, and these conversations between Eichmann and Hoess in Vienna, in which he said that some Jews who were transported from Greece to Auschwitz, only a few who were fit to work. But the Jews from Slovakia and Hungary who were about fit to work was from twenty-five to thirty percent. It is very hard for me to give a total figure exactly.

H0028 – 0081

Q. In meetings with the other specialists over the Jewish problem, and with Eichmann, did you gain any knowledge, or information, as to the total number of Jews killed under this program?

A. Eichmann personally always talked about at least four million Jews. Sometimes he mentioned a figure of five million. My own personal estimate, I would say was at least four-million Jews which were covered by the so-called final solution. How many of those actually remained alive, I am in no position to say.

Q. When did you last see Eichmann?

A. I saw Eichmann last the end of February 1945 at Berlin. At that time he mentioned that if the war ended he would commit suicide.

Q. Had he been referring at that time to the number of Jews that had been killed?

A. Yes. He made a special point of that, and he said that he would -- he would laugh at the fact that he had five million people of his conscious, and that this knowledge was special thought to him.

COLONEL BROOKHART: The witness is available for any cross examination.

THE PRESIDENT: Does any other prosecuting counsel wish to examine the witness?

MR. ROBERTS: I have no further questions to ask.

THE PRESIDENT: Does the Soviet Prosecutor wish to ask any questions?

COLONEL POKROWSKI: At this stage no questions does the Soviet Union wish to ask.

THE PRESIDENT: Does the French Prosecutor wish to ask any questions? (No response)

MR. SERVATIUS: Mr. Servatius speaking for the defendant Sauckel.

CROSS EXAMINATION - by MR. SERVATIUS:

Q. Now, you mentioned, of course, the labor by Jews, the taking of Jews from Slovakia at Auschwitz, where they were used for work. Then later, you mentioned those Jews from Hungary that came to the southeast wall fortification. Do you know whether a man in charge, Chief of Labor, Sauckel, was connected with this office as a result of that, or his

H0028-0082

direction is in any way connected with these things?

A. So far as the Jews from Slovakia are concerned, Sauckel had nothing to do with these. It was an internal matter for the inspector of the concentration camp system of these Jews, the taking of Jews for the southeast wall fortification. I can not count quickly enough to answer this question. I do not know how far Sauckel was connected with this. The Jews which were taken from Hungary borders to work he turned over to the Gauleiter of the lower Danube.

MR. SERVATIUS: I have not further questions to ask the witness.

H0028 - 0083

BY DR. BABEL (Counsel for SS and SD)

Q You talked about measures of the Security Police and of the SD, and you mentioned these organizations several times in your testimony. Do you use these designations officially, or shall I take it from this testimony that the SD, Security Service, was participating?

A The actions that I mentioned and which were carried out by Amt IV, Gestapo, if I mentioned the Chief of the SD, I mention it because it was the official designation.

Q Not to mention the SD especially--the SD as far as these Jewish measures were concerned, was it involved?

A The SD as an organization was not involved. Some of the leaders which worked with Eichmann came from the SD, I myself also, but they were ordered to Amt IV to the Gestapo.

Q The former members of the SS, of the SD, who later were active in the Gestapo, were they still members of their former organization, or were they members of the Gestapo?

A No, they were still with the SD.

Q I see, and as members of the SD or in carrying out the orders of the Gestapo--

A We belonged for the carrying out of this order to the Gestapo. Our orders came from the Gestapo.

Q From Amt IV. And in connection with this, one more question. Someone who was an outsider, could he get any sense out of this labyrinth?

A No, it was almost impossible to do that.

THE PRESIDENT: Do any others of the Defense Counsel wish to cross-examine this witness?

Colonel Amen, or Colonel Brookhart, do you wish to re-examine the witness?

COLONEL AMEN: No further questions, your Lordship.

THE PRESIDENT: No further questions?

H0028 - 0084

COLONEL AMEN: No further questions.

THE PRESIDENT: Very well. That will do.

(The witness was excused.)

COLONEL AMEN: It will take about ten minutes, sir, to get the next witness up. I hadn't anticipated we would finish quite this quickly. Do you still want me to get him up this afternoon?

THE PRESIDENT: Have you any other witnesses on these subjects?

COLONEL AMEN: Not on this subject, sir. I have two very short witnesses, one on the written agreement as to which testimony was given this morning between the OKW, the OKH and the RSHA; the witnesses who can answer questions that the members of the Tribunal asked this morning very briefly, and one other witness which is on a totally different subject.

THE PRESIDENT: On what subject is the other witness?

COLONEL AMEN: Well, he is on the subject of identifying two of the defendants at one of the concentration camps. I don't like to mention his name to the Defense unless you wish me to.

THE PRESIDENT: Very well. Then you will call those two witnesses tomorrow?

COLONEL AMEN: Yes, your Lordship. I don't think either of them will take more than twenty minutes apiece.

THE PRESIDENT: Then you will go on with the evidence against the High Command?

COLONEL AMEN: Yes, sir.

THE PRESIDENT: We will adjourn now.

(Whereupon at 17.00 hours the Hearing of the Tribunal adjourned to reconvene at 10.00 hours on January 4th, 1946.)